

PLANNING COMMISSION AGENDA
CITY OF NEWPORT BEACH
COUNCIL CHAMBERS - 3300 NEWPORT BOULEVARD
Thursday, April 7, 2011
Regular Meeting - 6:30 p.m.

EARL MCDANIEL
Chairperson

ROBERT HAWKINS
CHARLES UNSWORTH
BARRY EATON

FRED AMERI
MICHAEL TOERGE
BRADLEY HILLGREN

Planning Commissioners are citizens of Newport Beach who volunteer to serve on the Planning Commission. They were appointed by the City Council by majority vote for 4-year terms. At the table in front are City staff members who are here to advise the Commission during the meeting. They are:

JAMES CAMPBELL, Acting Planning Director

LEONIE MULVIHILL, Assistant City Attorney

PATRICK ALFORD, Planning Manager

TONY BRINE, City Traffic Engineer

GREGG RAMIREZ, Senior Planner

JAVIER GARCIA, Senior Planner

MARLENE BURNS, Administrative Assistant

FERN NUENO, Assistant Planner

NOTICE TO THE PUBLIC

Regular meetings of the Planning Commission are held on the Thursdays preceding second and fourth Tuesdays of each month at 6:30 p.m. Staff reports or other written documentation have been prepared for each item of business listed on the agenda. If you have any questions or require copies of any of the staff reports or other documentation, please contact the Planning Department staff at (949) 644-3200. The agendas, minutes and staff reports are also available on the City's web site at: <http://www.newportbeachca.gov>.

This committee is subject to the Ralph M. Brown Act. Among other things, the Brown Act requires that the Commission's agenda be posted at least 72 hours in advance of each meeting and that the public be allowed to comment on agenda items before the Commission and items not on the agenda but are within the subject matter jurisdiction of the Commission. The Commission may limit public comments to a reasonable amount of time, generally either three (3) or five (5) minutes per person.

It is the intention of the City of Newport Beach to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, the City of Newport Beach will attempt to accommodate you in every reasonable manner. Please contact Leilani Brown, City Clerk, at least 72 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible (949-644-3005 or lbrown@newportbeachca.gov).

If in the future, you wish to challenge in court any of the matters on this agenda for which a public hearing is to be conducted, you may be limited to raising only those issues, which you (or someone else) raised orally at the public hearing or in written correspondence received by the City at or before the hearing.

APPEAL PERIOD: Use Permit, Variance, Site Plan Review, and Modification Permit applications do not become effective until 14 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. Tentative Tract Map, Tentative Parcel Map, Lot Merger, and Lot Line Adjustment applications do not become effective until 10 days following the date of approval, during which time an appeal may be filed with the City Clerk in accordance with the provisions of the Newport Beach Municipal Code. General Plan and Zoning Amendments are automatically forwarded to the City Council for final action.

NEWPORT BEACH PLANNING COMMISSION AGENDA
Council Chambers – 3300 Newport Boulevard
Thursday, April 7, 2011
REGULAR MEETING
6:30 p.m.

- A. CALL TO ORDER**
- B. PLEDGE OF ALLEGIANCE**
- C. ROLL CALL**
- D. PUBLIC COMMENTS**

Public comments are invited on non-agenda items generally considered to be within the subject matter jurisdiction of the Planning Commission. Speakers must limit comments to 3 minutes. Before speaking, please state your name for the record and print your name on the tablet provided at the podium.

- E. REQUEST FOR CONTINUANCES**
- F. CONSENT ITEMS**

ITEM NO. 1 Minutes of March 17, 2011

ACTION: Approve and file.

- G. PUBLIC HEARING ITEMS**

ALL TESTIMONY GIVEN BEFORE THE PLANNING COMMISSION IS RECORDED. SPEAKERS MUST LIMIT REMARKS TO THREE MINUTES ON ALL ITEMS. (Red light signifies when three minutes are up; yellow light signifies that the speaker has one minute left for summation.) Please print only your name on the pad that is provided at the podium.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Planning Department located at 3300 Newport Boulevard, during normal business hours.

ITEM NO. 2 North Newport Center Planned Community Amendment (PA2011-017)
800, 840, 860, 880 Newport Center Drive

SUMMARY: A planned community development plan amendment to incorporate the Block 800 Newport Center Planned Community (PC-23) into the North Newport Center Planned Community (PC-56) and a code amendment to change the zoning classification of this property from PC-23 to PC-56. Additionally, the proposed amendment includes revisions to the sign and lighting standards within the PC-56 Development Plan.

CEQA COMPLIANCE: This action is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects that have the potential for causing a significant effect on the environment (Section 15061.b.3 of the CEQA Guidelines). It can be seen with certainty that there is no possibility that this activity will have a significant effect on the environment. Therefore, this activity is not subject to CEQA. The proposed project incorporates the Block 800 Newport Center Planned Community into the North Newport Center Planned Community with only minor changes to

development standards and allowed uses. No construction is proposed with this application.

- ACTION:**
- 1) Conduct public hearing; and
 - 2) Adopt Resolution No. ____ recommending City Council approval of Planned Community Development Plan Amendment No. PD2011-001 and Code Amendment No. CA2011-004.

ITEM NO. 3 West Newport Amendments (PA2010-182, 190, and PA2011-014)
6904, 6908-6936, and 6480 West Coast Highway

SUMMARY: Amendments to the General Plan, Coastal Land Use Plan and Zoning Map to change the designations of three properties from Two-Unit Residential (RT and RT-E) to Visitor Serving Commercial (CV) or Mixed Use-Vertical (MU-V) land use designations. The amendments were initiated by the property owners who are seeking to continue the existing nonconforming commercial use of their properties. All three properties are currently developed with commercial and mixed use buildings, and no new land use or development is proposed at this time.

CEQA COMPLIANCE: The project is categorically exempt under Section 15302 of the California Environmental Quality Act (CEQA) Guidelines – Class 2 (Replacement or Reconstruction).

- ACTION:**
- 1) Conduct public hearing; and
 - 2) Adopt Resolution No. ____ (Attachment No. PC 1) and attached Exhibits recommending the City Council:
 - Approve General Plan Amendment Nos. GP2010-002, GP2010-013, and GP2011-002; and
 - Approve Local Coastal Plan Amendment Nos. LC2010-002, LC2010-003, and LC2011-001; and
 - Approve Code Amendment Nos. CA2010-012, CA2010-013, and CA2011-003.

H. NEW BUSINESS

I. STAFF AND COMMISSIONER ITEMS

ITEM NO. 4 Planning Director's report.

ITEM NO. 5 Planning Commission reports.

ITEM NO. 6 Announcements on matters that Commission members would like placed on a future agenda for discussion, action, or report.

ITEM NO. 7 Request for excused absences.

ADJOURNMENT

CITY OF NEWPORT BEACH
Planning Commission Minutes
 March 17, 2011
 Regular Meeting – 6:30 p.m.

ROLL CALL: Commissioners Eaton, Unsworth, Hawkins, McDaniel, and Toerge – present. Commissioners Ameri and Hillgren – excused.		
STAFF PRESENT: James Campbell, Acting Planning Director Gregg Ramirez, Senior Planner Leonie Mulvihill, Assistant City Attorney Jaime Murillo, Associate Planner Marlene Burns, Administrative Assistant		
POSTING OF THE AGENDA: The Planning Commission Agenda was posted on March 11, 2011.		
PUBLIC COMMENTS:		None
REQUEST FOR CONTINUANCES:		None
* * *		
CONSENT ITEMS		
SUBJECT: MINUTES of the regular meeting of February 17, 2011, Item Nos. 1, 2, and 4. Motion made by Commissioner Toerge and seconded by Commissioner Unsworth to approve the minutes as presented. Motion carried with the following vote:		ITEM NO. 1 Approved
Ayes:	Eaton, Unsworth, Hawkins, McDaniel, and Toerge	
Noes:	None	
Excused:	Ameri and Hillgren	
SUBJECT: MINUTES of the regular meeting of February 17, 2011, Item No. 3. Motion made by Commissioner Hawkins and seconded by Commissioner Unsworth to approve the minutes as presented. Motion carried with the following vote:		
Ayes:	Eaton, Unsworth, Hawkins, and Toerge	
Noes:	None	
Excused:	Ameri and Hillgren	
Abstention:	McDaniel	
SUBJECT: MINUTES of the regular meeting of March 3, 2011. Motion made by Commissioner Hawkins and seconded by Commissioner Unsworth to approve the minutes as corrected. Motion carried with the following vote:		ITEM NO. 2 Approved
Ayes:	Eaton, Unsworth, Hawkins, and McDaniel	
Noes:	None	
Excused:	Ameri and Hillgren	
Abstention:	Toerge	

* * *

NEW BUSINESS

SUBJECT: Minimum Side Setback Determination – (PA2011-013)
Broadmoor Pacific View Planned Community

ITEM NO. 3
PA2011-013
Approved

Staff is seeking a determination for the Planning Commission regarding the Acting Planning Director's decision on the application of side setbacks within the Broadmoor Pacific View Planned Community District.

Acting Planning Director, Jim Campbell, provided a generalized overview of the project and noted that there is some ambiguity in the Planned Community Text as it relates to the side setback that is at issue. A final setback map has been found for a portion of the lots within the community, which should be referenced when determining street and view setbacks as opposed to the original map that had been used as the standard for close to thirty years.

Jaime Murillo, Associate Planner, provided a briefing of the project and stated that the Broadmoor Planned Community Text (PC Text), which was approved by the City in the late 70's, establishes development standards, including height limitations, parking requirements, lot coverage, and building setbacks. Instead of establishing traditional front and rear setbacks, the PC Text establishes street and view setbacks as follows:

- View Setbacks- Typically, three feet from the top of a slope.
- Street Setbacks- Typically, five feet minimum to the house, except front-facing garages may be located as close as three feet.
- The PC Text also references a setback map for lot specific view and street setbacks.

In addition, Mr. Murillo highlighted the following:

- Question as to what site plan or map is the correct exhibit to reference when determining the street and view setbacks for the homes in the community.
- Question as to how side yard setbacks should be regulated given that zero-side setbacks do not actually exist within the community.
- Clarified that for lots located within Final Tract 9047 and Final Tract 9261, the Setback Map for Tentative Tract Map 9047 is the correct reference. For lots located within Final Tract 9260, the Final Setback for Tract 9260 is the correct reference.
- The only side setback regulation is as follows:
"A zero side yard setback between the structure and the lot line shall be permitted on one side provided there are no openings on the zero side yard wall and that a total of ten (10) feet shall be provided between structures."
- The actual development pattern in the community is that most houses provide a four-foot minimum side setback on one side and a six-foot minimum side setback on the other side, which results in the required 10-foot separation between structures. In addition, the Homeowner's Association Covenants, Conditions and Restrictions (CC&Rs) for the community grants the four-foot setback area to the adjacent property owner for landscaping purposes, creating the appearance of a zero-lot line configuration.
- In instances where properties are located on cul-de-sacs and provide large side yards exceeding the 10-foot separation requirement, additions are possible, but the side setback regulation is ambiguous. Past practice has been to allow additions to the side property line provided a minimum 10 feet is provided to the adjacent house. It was recognized that the past practice

was inequitable and created a “first-come, first-serve” type scenario that unfairly impacted how close the adjacent property could build in the future.

- To resolve this inequity and provide certainty with regard to side setbacks, staff recommended that the Planning Commission make a determination that a minimum five-foot side setback shall be provided.

The Planning Commission provided the following comments and observations:

- An amendment to the Planned Community Text should be forthcoming to clarify the side set-backs.
- The City does not enforce a Homeowner’s Association Covenants, Conditions and Restrictions (CC&Rs).

Applicants James and Patricia White provided a brief presentation of their case to the Planning Commission.

- The only document that exists with an “Approved” stamp is the Plot Plan with the plan check number.
- Purchased the lot because of the ample space and felt that those homeowner rights needed to be preserved.
- Different terminology used interchangeably in the Planned Community Text, such as site plan and plot plan.
- Restricting development to the Approved Plot Plan gives each homeowner the greatest protection of what they purchased; the neighbor never asked them what would work.
- Belief that staff’s recommendation of five feet benefits some at the disadvantage of others.

Members of the Seaview Leadership:

Bill Moore
Ray Piantanida
Mary Donovan
Jim Magstadt

The comments were as follows:

- The Whites’ conclusion is not supported in that it would have the effect of not allowing expansions outside the original building envelopes.
- The Homeowner’s Association Covenants, Conditions and Restrictions (CC&Rs) do not allow the approval of a remodel that would result in significant and material view obstruction.
- The Architectural Committee sought to find a compromise between the homeowners as to the views and the home improvements.
- Architectural Committee after visiting both homes that were at issue, voted 5-0 to approve the addition and determined that there was no significant view restriction.
- Words that do not exist and are not defined in the Homeowner’s Association Covenants, Conditions and Restrictions (CC&Rs) should not be used, such as “building-envelope,” and “foot-print.”

The Planning Commission discussed the need for an amendment to the Planned Community Text; however it will come at a later date as the immediate need is to first interpret the side setback regulation.

Commissioner Toerge stated that it is the Architectural Committee is responsible for handling the view of homeowner’s and supports staff’s recommendation.

Commissioner Hawkins was concerned with the fact that the applicant for the home-

<p>improvement modification was not present for the hearing. In addition, the Planned Community Text does have language that speaks about view preservation and believes that there are more references.</p> <p>Commissioner Eaton noted that the City has been consistent on leaving the issues up to the Homeowner's Association as it relates to private view protections and aesthetics.</p> <p>Motion made by Commissioner Toerge and seconded by Commissioner Unsworth, to support staff's recommendation.</p> <p>Motion carried with the following vote:</p>		
<p>Ayes:</p> <p>Noes:</p> <p>Excused:</p>	<p>Eaton, Unsworth, Hawkins, and Toerge</p> <p>Hawkins</p> <p>Ameri and Hillgren</p>	
* * *		
<p>SUBJECT: Zoning Code Implementation – Discussion Item</p> <ul style="list-style-type: none"> Review Authority for Alcohol Sales <p>The Planning Commission shared the following observations:</p> <ul style="list-style-type: none"> Restaurants with alcohol sales that close at 11:00 p.m., previously came before the Planning Commission and now are heard before the Zoning Administrator; however they should be heard before the Planning Commission due to the following concerns: <ul style="list-style-type: none"> Loading the Peninsula with too many restaurants where alcohol is provided, creating dangerous situations for the surrounding neighborhood. The public is in need of a platform to share any concerns. The Zoning Administrator Hearings are typically scheduled at 3:30 in the afternoon, and is not convenient for the residents. There is no in-depth discussion at the Zoning Administrator Hearings. A recommendation to the City Council that an amendment to the Zoning Code be made so that the Planning Commission becomes the review authority for alcohol sales. <p>Comments were given by the following residents from the surrounding neighborhood:</p> <p>George Schroeder Dan Purcell</p> <ul style="list-style-type: none"> There is an over concentration of alcohol licenses. People in Zoning Administrator do not live in Newport Beach like the Planning Commissioners. Photos were provided to the Planning Commission which illustrated intoxicated people sleeping in public areas. Zoning Administrator meeting calendar is not published on the City's web-site. <p>Motion made by Commissioner Hawkins and seconded by Commissioner Unsworth, to recommend to the City Council to implement a Zoning Code Amendment, changing the review authority for restaurants with alcohol sales that close by 11:00 p.m., from the Zoning Administrator to the Planning Commission.</p> <p>Motion carried with the following vote:</p>		<p>ITEM NO. 4</p> <p>REVIEW</p> <p>AUTHORITY</p> <p>FOR</p> <p>ALCOHOL</p> <p>SALES</p> <p>Approved</p>

Ayes:	Eaton, Unsworth, Hawkins, McDaniel, and Toerge	
Noes:	None	
Excused:	Ameri and Toerge	
SUBJECT: Zoning Code Implementation – Discussion Item <ul style="list-style-type: none"> • In-Lieu Parking <p>The Planning Commission expressed that there is a concern with the number of parking spaces that have recently been waived. Presently under the Code there are two options, commercial uses provide parking on-site or enter into an off-site parking agreement, which has problems associated with it. There is another option in the Code that needs to be implemented; however presently the amount available of funds is not sufficient to monitor the program. Therefore, a Code change is needed along with a study to determine the cost necessary to properly run and maintain the program.</p> <p>Comments were given by the following residents from the surrounding neighborhood: Dan Purcell George Schroeder</p> <ul style="list-style-type: none"> • Not for building parking for other people, other solutions may exist. • If parking is waived then a fee should be paid. <p>Jim Campbell, Acting Planning Director, mentioned that there are 297 parking spaces that exist in the program at a rate of \$150.00 per year, per space.</p> <p>Motion made by Commissioner Hawkins and seconded by Commissioner Unsworth, that a recommendation be made to the City Council to reimpose Zoning Code Section 20.40.130, and to conduct a study on the actual cost of a parking space in the City.</p> <p>Motion carried with the following vote:</p>		ITEM NO. 4 IN-LIEU PARKING Approved
Ayes:	Eaton, Unsworth, Hawkins, McDaniel, and Toerge	
Noes:	None	
Excused:	Ameri and Toerge	
SUBJECT: Zoning Code Implementation – Discussion Item <ul style="list-style-type: none"> • Planning Commission Appeals <p>Acting Planning Director Campbell stated that with the update of the Zoning Code, there was an elimination of all fees and there was an oversight related to having a caveat back in the Master Fee Schedule. There was no intent on having the Commissioners pay a fee to file an appeal. The recommendation is to revert back to the language that was in the previous Zoning Code for appeal fees.</p> <p>There was a list presented to the Planning Commissioners on the number of appeals filed by Planning Commissioners and it was requested that the list be distributed to the Planning Commission.</p> <p>Motion made by Commissioner Toerge and seconded by Commissioner Hawkins, that a recommendation be made to the City Council to revert back to the language that was in the previous Zoning Code regarding the appeal fees.</p> <p>Motion carried with the following vote:</p>		ITEM NO. 4 PLANNING COMMISSION APPEALS Approved
Ayes:	Eaton, Unsworth, Hawkins, McDaniel, and Toerge	
Noes:	None	
Excused:	Ameri and Toerge	
* * *		
STAFF AND COMMISSIONER ITEMS		

<p>Planning Director's report:</p> <ul style="list-style-type: none"> • Adjustments have been made to the internal staff: <ul style="list-style-type: none"> ◦ Patrick Alford will be managing the Banning Ranch Project. ◦ Gregg Ramirez will become the Acting Planning Manager. ◦ Jaime Murillo will become the Zoning Administrator. • Commissioner Fred Ameri had been hospitalized for five days, and that was the reason for his departure at the previous meeting; however he is feeling better. He may be present at the next meeting. • City Council Hearing from the last meeting: <ul style="list-style-type: none"> ◦ Way-finding sign has been approved and is moving forward. ◦ Master Fee Schedule was approved. ◦ Code Amendment for Santanella Terrace was adopted and passed to the Second Reading. ◦ City Council is focusing on the following five priorities: <ul style="list-style-type: none"> ▪ John Wayne Airport ▪ Revitalization of Commercial Areas ▪ Tidelands Management ▪ Pension Reform ▪ Reorganization 	ITEM NO. 5
<p>Planning Commission reports:</p> <ul style="list-style-type: none"> • Commissioner Hawkins reported that the Economic Development Committee is no more. In addition, EQUAC is going to be on an "as-needed" basis, a recommendation from the Council. <p>Assistant City Attorney reports:</p> <ul style="list-style-type: none"> • Mandatory AB1234 Training Sessions will be offered on the following dates and times: <ul style="list-style-type: none"> ◦ March 29, 2011 from 10:00 a.m. to 12:00 p.m. ◦ March 31, 2001 from 6:00 p.m. to 8:00 p.m. 	ITEM NO. 6
<p>Announcements on matters that Commission members would like placed on a future agenda for discussion, action, or report. – None.</p>	ITEM NO. 7
<p>Requests for excused absences – None</p>	ITEM NO. 8
* * *	
<p>ADJOURNMENT: 9:06 p.m. MICHAEL TOERGE, SECRETARY CITY OF NEWPORT BEACH PLANNING COMMISSION</p>	

**CITY OF NEWPORT BEACH
PLANNING COMMISSION STAFF REPORT**

April 7, 2011 Meeting
Agenda Item 2

SUBJECT: North Newport Center Planned Community Amendment - (PA2011-017)
800, 840, 860, 880 Newport Center Drive

- Planned Community Development Amendment No. PD2011-001
- Code Amendment No. CA2011-004

APPLICANT: Irvine Company

PLANNER: Fern Nueno, Assistant Planner
(949) 644-3227, fnueno@newportbeachca.gov

PROJECT SUMMARY

A planned community development plan amendment to incorporate the Block 800 Newport Center Planned Community (PC-23) into the North Newport Center Planned Community (PC-56) and a code amendment to change the zoning classification of this property from PC-23 to PC-56. Additionally, the proposed amendment includes revisions to the sign and lighting standards within the PC-56 Development Plan.

RECOMMENDATION

- 1) Conduct a public hearing; and
- 2) Adopt Resolution No. ____ recommending City Council approval of Planned Community Development Plan Amendment No. PD2011-001 and Code Amendment No. CA2011-004 (Attachment No. PC 1).

INTRODUCTION

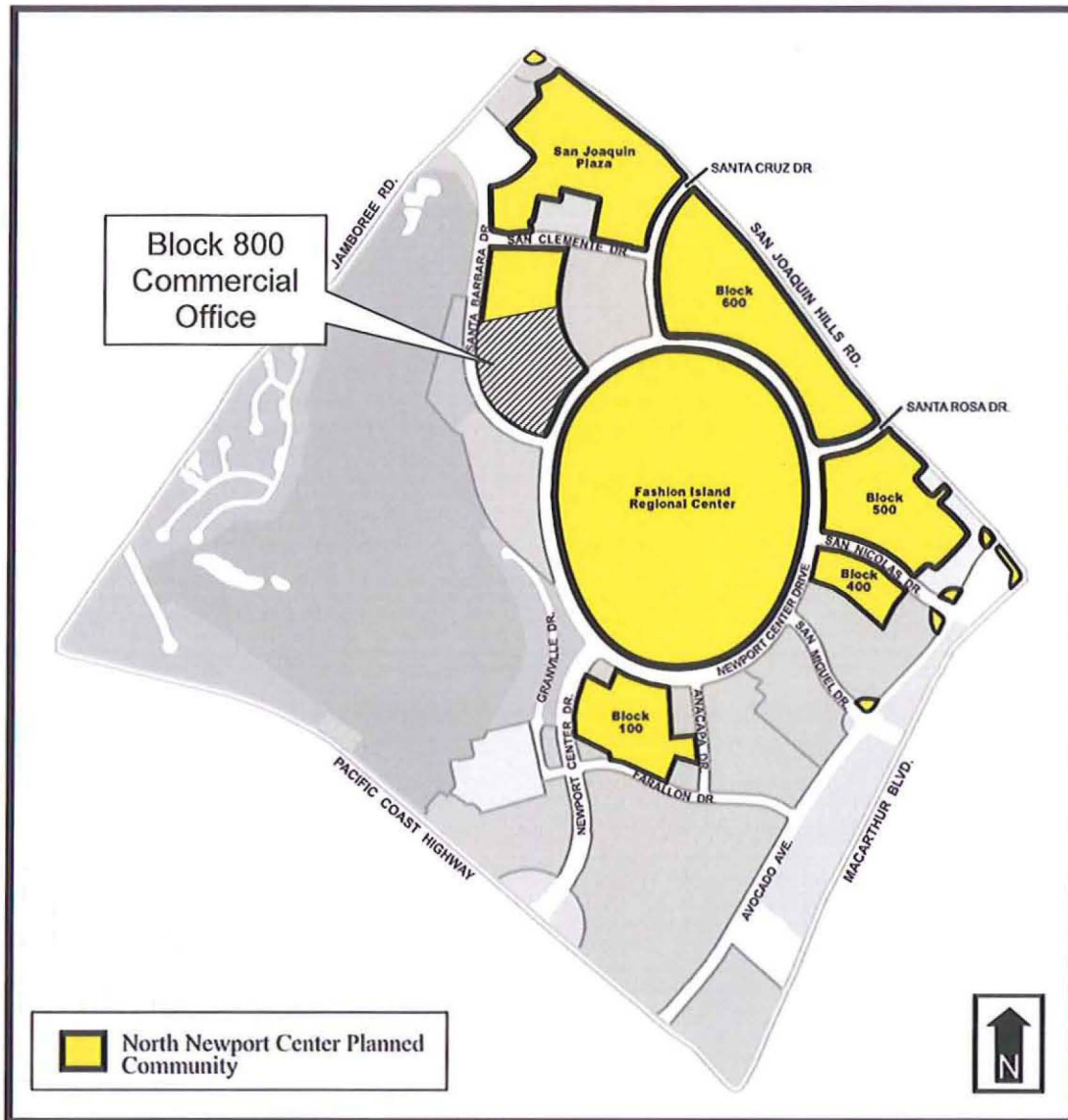
Project Setting

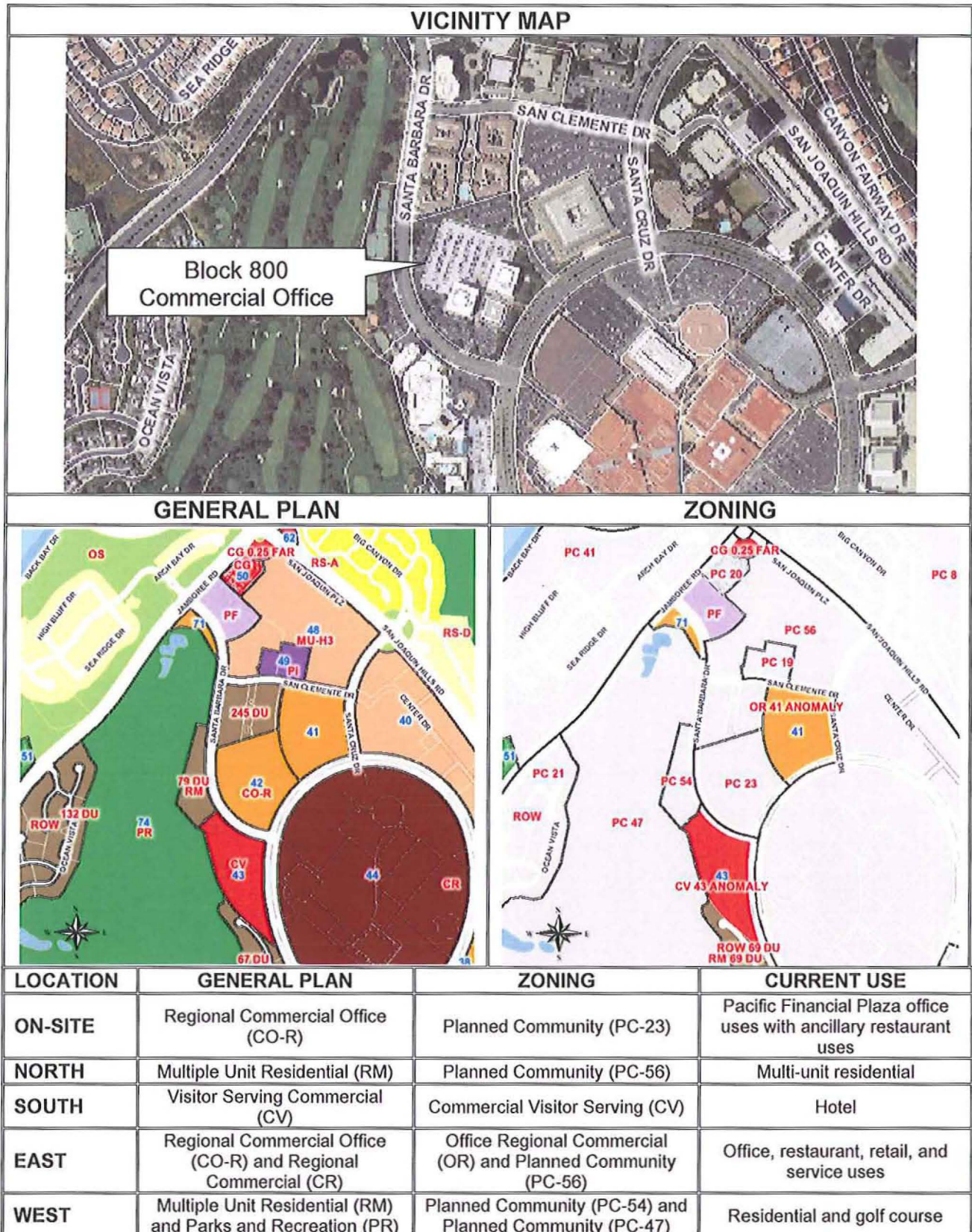
The North Newport Center Planned Community (PC-56) is located in Newport Center and encompasses a regional center of business and commerce that includes major retail, administrative, medical and professional office, entertainment, recreation, and residential uses. PC-56 currently consists of Fashion Island, a portion of Block 100, a portion of Block 400, a portion of Block 500, Block 600, a portion of San Joaquin Plaza, and a portion of Block 800 (Colony Apartments). The proposed Planned Community Development Plan amendment would incorporate the southerly commercial portion of Block 800 into the North Newport Center Planned Community.

Fashion Island (approximately 75 acres), located to the southeast of Block 800 Commercial Office is developed with a regional shopping center consisting of anchor

department stores, retail stores, restaurants, and a cinema. Other blocks within Newport Center are developed with office buildings, hotels, surface parking, parking structures, and landscaped open space.

Proposed PC-56 Boundaries





Project Description

The applicant proposes an amendment to the North Newport Center Planned Community (PC-56) to incorporate in its entirety the Block 800 Newport Center Planned Community (PC-23). The applicant also proposes a code amendment to change the Zoning designation of the subject property from PC-23 to PC-56. The PC-23 Development Plan would be rescinded if this application is approved. The proposed project also includes a revision to a sign and a lighting standard within the PC-56 Development Plan regarding landscape wall signs and minimum foot-candle illumination, respectively. The sign standard revision would add a definition of what is considered a landscape wall sign. The lighting revision would change the foot-candle minimum to an average. If approved, Block 800 would have two distinct areas: Block 800 Residential (The Colony that is currently within PC-56) and Block 800 Commercial Office (the subject property that contains Pacific Financial Plaza). No construction or changes in use are proposed with this application.

Background

On December 18, 2007, the City Council adopted the North Newport Center Planned Community Development Plan and Design Regulations.

On July 22, 2008, the City Council approved the conversion of 72,000 square feet allocated for the Block 500 City Hall site to general office and the transfer of approximately 24,428 square feet of development rights from Block 600 to Block 500.

On August 7, 2008, the Planning Commission found that a traffic study for the proposed development of 96,428 square feet of office space in Block 500 complied with the Traffic Phasing Ordinance.

On February 24, 2009, the City Council conducted the first annual review of the North Newport Center Development Agreement and found that Irvine Company had complied in good faith with terms and conditions of the Development Agreement during the review period.

On November 24, 2009, the City Council approved the first amendment to the PC-56 Development Plan incorporating properties located in Block 100, Block 400, Block 800, and at the southwest corner of San Joaquin Hills Road and MacArthur Boulevard into the North Newport Center Planned Community (PC-56).

On March 23, 2010, the City Council conducted an annual review of the North Newport Center Development Agreement and found that Irvine Company had complied in good faith with terms and conditions of the Development Agreement during the review period.

DISCUSSION

Analysis

Land use and property development on the subject property are currently regulated by the Planned Community Development Plan for Block 800 Newport Center (PC-23). These regulations have been translated and incorporated into the draft North Newport Center Planned Community Development Plan and Design Regulations (Attachment No. PC 2). The objective is to have no substantial increase in range of allowed land uses and no increase in development intensity.

Development Standards

The development standards and permitted uses for Block 800 Commercial Office would remain substantially the same with this proposed amendment. The height limit for the subject property would remain at 125 feet. The PC-23 regulations do not establish setback requirements. Instead the development plan limits construction per the previously approved site plan approved with the adoption of the PC-23 Development Plan. The applicant proposes a fifteen (15) foot setback standard from property lines abutting the streets and the interior lot line abutting the residential property, consistent with the PC-56 standards for other blocks. The maximum floor area allowed would not increase and is limited by the General Plan. The permitted uses would remain generally the same with office uses permitted by right and limited commercial uses as accessory or by use permit. The parking requirements would remain unchanged and would be regulated by the Zoning Code. The following table provides a comparison of development and use standards.

Comparison Table

	Block 800 PC-23	North Newport Center PC-56
Height	125' above pad	125' from finished grade
Setbacks	Per previously approved plan	15' from streets and from residential interior lot line
Maximum Floor Area	286,166 square feet total Restaurants are limited to 13,200 gross square footage and 6,000 square feet of net public area	286,166 square feet total Restaurants require a Minor Use Permit
Permitted Uses	Office, ancillary retail, restaurant/bar with Conditional Use Permit, parking lot, car wash	Bank, office, ancillary day care, ancillary retail, ancillary personal services , and the following with a UP/MUP: drive through at bank, public safety facilities, commercial recreation and entertainment, cultural and institutional, day spas, bars and restaurants with alcohol sales, visitor accommodations
Parking	Per Newport Beach Zoning Code	Per Newport Beach Zoning Code

Sign Standards

The proposed amendment to the PC-56 Development Plan includes a revision to the sign standards within Table 7, Sign Type D. Sign Type D are signs mounted on landscape walls. The revision adds a definition of the sign type to include ground mounted signs in front of landscaping and landscape walls. Previously, only signs mounted on a landscape wall would fall under this sign type category. This change would allow monument signs located in front of landscaping or landscape walls to be included in this sign type. An example of a landscape wall sign is included as Attachment No. PC 3.

Lighting Standards

The proposed amendment to the PC-56 Development Plan includes a revision to the lighting standards. The existing standard requires that a minimum 0.5 foot-candle be maintained within certain parking and walkway areas. The proposed revision would require a minimum *average* 0.5 foot-candle.

General Plan

The Land Use Element category for the subject portion of Block 800 is Regional Commercial Office (CO-R). The CO-R designation is intended to provide for administrative and professional offices that serve local and regional markets, with limited accessory retail, financial, service, and entertainment uses. The proposed land use regulations for Block 800 Commercial are consistent with this land use designation because business, government, and professional offices are permitted by right and other land uses are either limited to accessory uses or are regulated by use permits. Block 100 and Block 400 are also within the General Plan land use category CO-R, and the proposed permitted land uses for Block 800 Commercial Office are consistent with the permitted land uses for Blocks 100 and 400. The development intensity for Block 800 Commercial Office is limited to 286,166 square feet, which is consistent with Anomaly No. 42 designated within the General Plan for the subject portion of Block 800.

Airport Environs Land Use Plan

North Newport Center is located within the Planning Area for John Wayne Airport in the Airport Environs Land Use Plan (AELUP). The Airport Land Use Commission (ALUC) has found the City of Newport Beach to be a consistent agency with the AELUP. However, the AELUP requires that zone changes for consistent agencies be referred to the ALUC for a determination prior to City action. The proposed amendments will be forwarded to the ALUC, and a hearing will be scheduled prior to the City Council meeting if the Planning Commission recommends approval of the project.

Summary

The proposed amendments are consistent with the General Plan and will facilitate land use administration of future projects within Block 800 Commercial Office and the entirety of the North Newport Center Planned Community. The proposed changes to the development standards and permitted uses are appropriate and will not be detrimental to the community.

Alternatives

The Planning Commission may recommend approval of a modified project to the City Council or deny the application. If an amendment is denied, no further action is taken, unless appealed to the City Council.

Environmental Review

This action is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects that have the potential for causing a significant effect on the environment (Section 15061.b.3 of the CEQA Guidelines). It can be seen with certainty that there is no possibility that this activity will have a significant effect on the environment. Therefore, this activity is not subject to CEQA. The proposed project incorporates the Block 800 Newport Center Planned Community into the North Newport Center Planned Community with only minor changes to development standards and allowed uses. No construction is proposed with this application.

Public Notice

Notice of this hearing was published in the Daily Pilot and mailed to property owners within 300 feet of the property consistent with the Municipal Code. Additionally, the item appeared upon the agenda for this meeting, which was posted at City Hall and on the city website.

Prepared by:


Fern Nueno, Assistant Planner

Submitted by:


Gregg Ramirez, Senior Planner

ATTACHMENTS

PC 1 Draft Resolution

PC 2 Redlined changes to the Planned Community Development Plan

PC 3 Landscape wall sign example

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Attachment No. PC 1

Draft Resolution

RESOLUTION NO. ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH RECOMMENDING CITY COUNCIL APPROVAL OF AN AMENDMENT TO THE NORTH NEWPORT CENTER PLANNED COMMUNITY DEVELOPMENT PLAN (PD2011-001) AND A CODE AMENDMENT (CA2011-004) TO CHANGE THE ZONING CLASSIFICATION FROM PC-23 TO PC-56 FOR PROPERTY LOCATED AT 800, 840, 860, AND 880 NEWPORT CENTER DRIVE (PA2011-017)

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. An application was filed by Irvine Company, with respect to property located at 800, 840, 860, and 880 Newport Center Drive and legally described as Parcel 1 of Resubdivision 0612 requesting approval of a Planned Community Development Plan Amendment and a Zoning Code Amendment.
2. The applicant proposes an amendment to the North Newport Center Planned Community (PC-56) to incorporate in its entirety the Block 800 Newport Center Planned Community (PC-23). The applicant also proposes a code amendment to change the Zoning designation of the subject property from PC-23 to PC-56. The PC-23 Development Plan would be rescinded if this application is approved. The proposed project also includes a revision to a sign standard within the PC-56 Development Plan regarding landscape wall signs and a revision to lighting standards.
3. The subject property is located within the Block 800 Newport Center Planned Community (PC-23) Zoning District and the General Plan Land Use Element category is Regional Commercial Office (CO-R).
4. The subject property is not located within the coastal zone.
5. A public hearing was held on April 7, 2011, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this meeting.

SECTION 2. FINDINGS.

1. The Planned Community Development Plan Amendment, with the recommended text changes, is consistent with and implements the Land Use Element of the General Plan as the proposed land use regulations are consistent with the Regional Commercial Office (CO-R) land use category designated on the subject property.

2. The Planned Community Development Plan Amendment, with the recommended text changes, is consistent with Chapter 20.56 of the Municipal Code (Planned Community District Procedures), which establishes the requirements of a Planned Community Development Plan.
3. The Planned Community Development Plan Amendment, with the recommended text changes, will not increase the intensity or density of allowed land uses or change the types of allowable uses in the subject portion of Block 800.
4. The subject portion of Block 800 is fully developed and the applicant does not seek any further entitlements through this Planned Community Development Plan Amendment or Code Amendment.
5. The proposed development standards are adequate and appropriate for use and development of Block 800 and would not be detrimental to the Newport Center environs.

SECTION 3. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This action is covered by the general rule that the California Environmental Quality Act (CEQA) applies only to projects that have the potential for causing a significant effect on the environment (Section 15061.b.3 of the CEQA Guidelines). It can be seen with certainty that there is no possibility that this activity will have a significant effect on the environment. Therefore, this activity is not subject to CEQA.
2. The proposed project incorporates the Block 800 Newport Center Planned Community into the North Newport Center Planned Community with only minor changes to development standards and allowed uses. This action will not increase the allowable development intensity. No construction is proposed with this application.
3. *Muzzy Ranch v. Solano County Airport Land Use Commission* (2007) 41 Cal.4th 372, 389th California Supreme Court held that the CEQA common sense exemption applied to the approval of a land use compatibility plan that merely extended existing land use restrictions to a greater geographical area.
4. The Planning Commission finds that judicial challenges to the City's CEQA determinations and approvals of land use projects are costly and time consuming. In addition, project opponents often seek an award of attorneys' fees in such challenges. As project applicants are the primary beneficiaries of such approvals, it is appropriate that such applicants should bear the expense of defending against any such judicial challenge, and bear the responsibility for any costs, attorneys' fees, and damages which may be awarded to a successful challenger.

Therefore, to the fullest extent permitted by law, applicant and property owner shall defend, indemnify, release and hold harmless the City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses,

judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to the project, the project's approval based on the City's CEQA determination and/or the City's failure to comply with the requirements of any federal, state, or local laws, including, but not limited to, CEQA, General Plan and zoning requirements. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

1. The Planning Commission of the City of Newport Beach hereby recommends City Council approval to rescind PC-23, and approval of Planned Community Development Plan Amendment No. PD2011-001 and Zoning Code Amendment No. CA2011-004.

PASSED, APPROVED AND ADOPTED THIS 7TH DAY OF APRIL, 2011.

AYES:

NOES:

ABSTAIN:

ABSENT:

BY: _____
Earl McDaniel, Chairman

BY: _____
Michael Toerge, Secretary

Attachment No. PC 2

Redlined changes to the Planned
Community Development Plan

North Newport Center Planned Community Development Plan

Land Uses, Development Standards & Procedures

Adopted December 18, 2007, Ordinance No. 2007-20 (PA 2007-151)

Amended November 24, 2009, Ordinance No. 2009-28 (PA 2009-111)

Amended _____, 2011, Ordinance No. 2011-__ (PA 2011-__)

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I. Introduction and Purpose of Development Plan

The North Newport Center Planned Community district is comprised of seven sub-areas that include Fashion Island, ~~and~~ Block 600 and Block 800 and portions of Block 100, Block 400, Block 500, ~~Block 800~~, and San Joaquin Plaza. The sub-areas that comprise North Newport Center shall be governed by the North Newport Center Planned Community (“PC”) Development Plan set forth herein, which includes land uses, development standards, and administration.

The City of Newport Beach Municipal Code allows a Planned Community Development Plan to address land use designations and regulations in Planned Communities. The North Newport Center PC Development Plan serves as the controlling zoning ordinance for the sub-areas identified in the Planned Community Development Plan and is authorized and intended to implement the provisions of the Newport Beach General Plan.

A. Sub-Area Purpose

Newport Center is a regional center comprised of major retail, professional office, entertainment, recreation, and residential development within the City of Newport Beach. The North Newport Center site comprises approximately ~~169~~158.4 acres along San Joaquin Hills Road and Newport Center Drive. The seven sub-areas that make up the site including Fashion Island (75 acres), Block 100 (10 acres), Block 400 (4 acres), Block 500 (15 acres and a 0.4-acre open space area at the corner of MacArthur Boulevard and San Joaquin Hills Road), Block 600 (25 acres), Block 800 (~~176~~ acres), and San Joaquin Plaza (23 acres) are shown on Figure 1 and are described below.

The General Plan identifies the goal of creating a successful Mixed-Use district that integrates economic and commercial centers serving the needs of Newport Beach residents and the sub-region, with expanded opportunities for residential development.

Fashion Island is the primary retail hub within Newport Center and is developed with retail, dining, and commercial entertainment uses. Permitted uses for Fashion Island include uses in support of the existing retail, dining, and commercial entertainment uses. Fashion Island is intended to be a vibrant regional retail and entertainment center and a day/evening destination with a wide variety of uses that will serve visitors, residents, and employees of the area. Figure 2, Fashion Island Sub-Area, shows the boundary of Fashion Island.

The Commercial Office blocks include Block 100 (Figure 3), ~~and~~ Block 400 (Figure 4) and a portion of Block 800 also referred to as Pacific Financial Plaza. Block 100 is generally comprised of administrative and professional offices that serve local and regional markets. Other uses permitted in the block include limited accessory retail, financial, service and entertainment uses. Block 400 is generally comprised of commercial office, with medical related offices and retail use. The Pacific Financial Plaza portion of Block 800 is generally comprised of commercial office and restaurant uses.

The Mixed-Use blocks include Block 500 (Figure 5), Block 600 (Figure 6), and San Joaquin Plaza (Figure ~~8~~7). The Mixed-Use blocks are generally composed of administrative, professional, and financial office uses. Block 600 contains hotel and related ancillary uses. This Development Plan allows for the diversification of land uses in order to encourage new and original uses consistent with the Mixed-Use concept as established in the General Plan. Permitted uses for the Mixed-Use blocks include offices, light general commercial, hotel, residential and other mixed uses in accordance with the General Plan MU-H3 land use designation. The residential portion of Block 800 (Figure ~~7~~8) allows for multi-family residential or senior citizen housing uses. While not categorized as a mixed-use area, Block 800 contains two distinct uses which are not interchangeable. The northern portion of Block 800 is designated for residential use and the southern portion is commercial office. The boundaries of the Mixed-Use blocks included in this Development Plan are shown in Figure 5, Block 500 Sub-Area, Figure 6, Block 600 Sub-Area, and Figure ~~8~~7, San Joaquin Plaza Sub-Area, respectively.

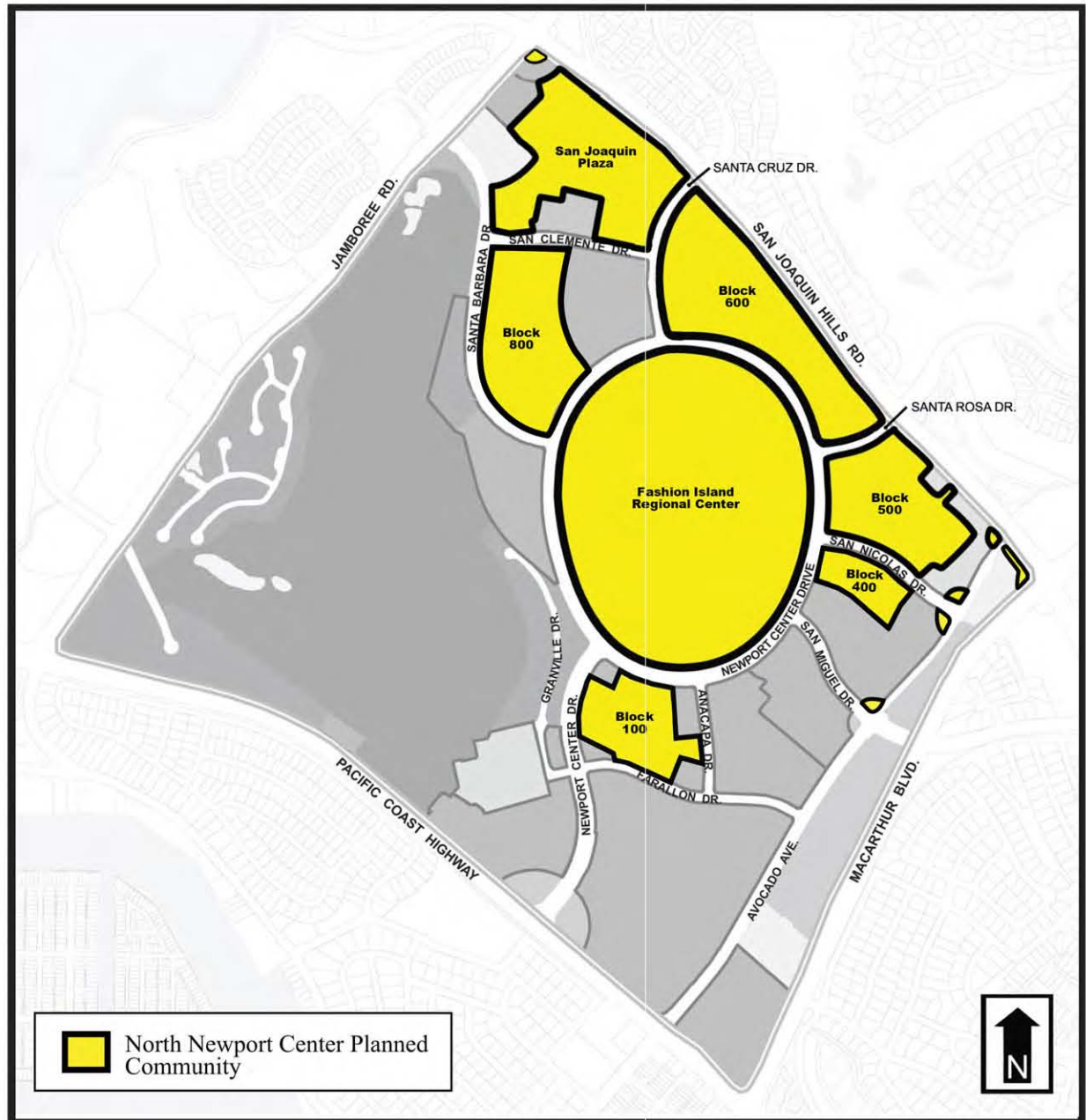


Figure 1 – North Newport Center Planned Community

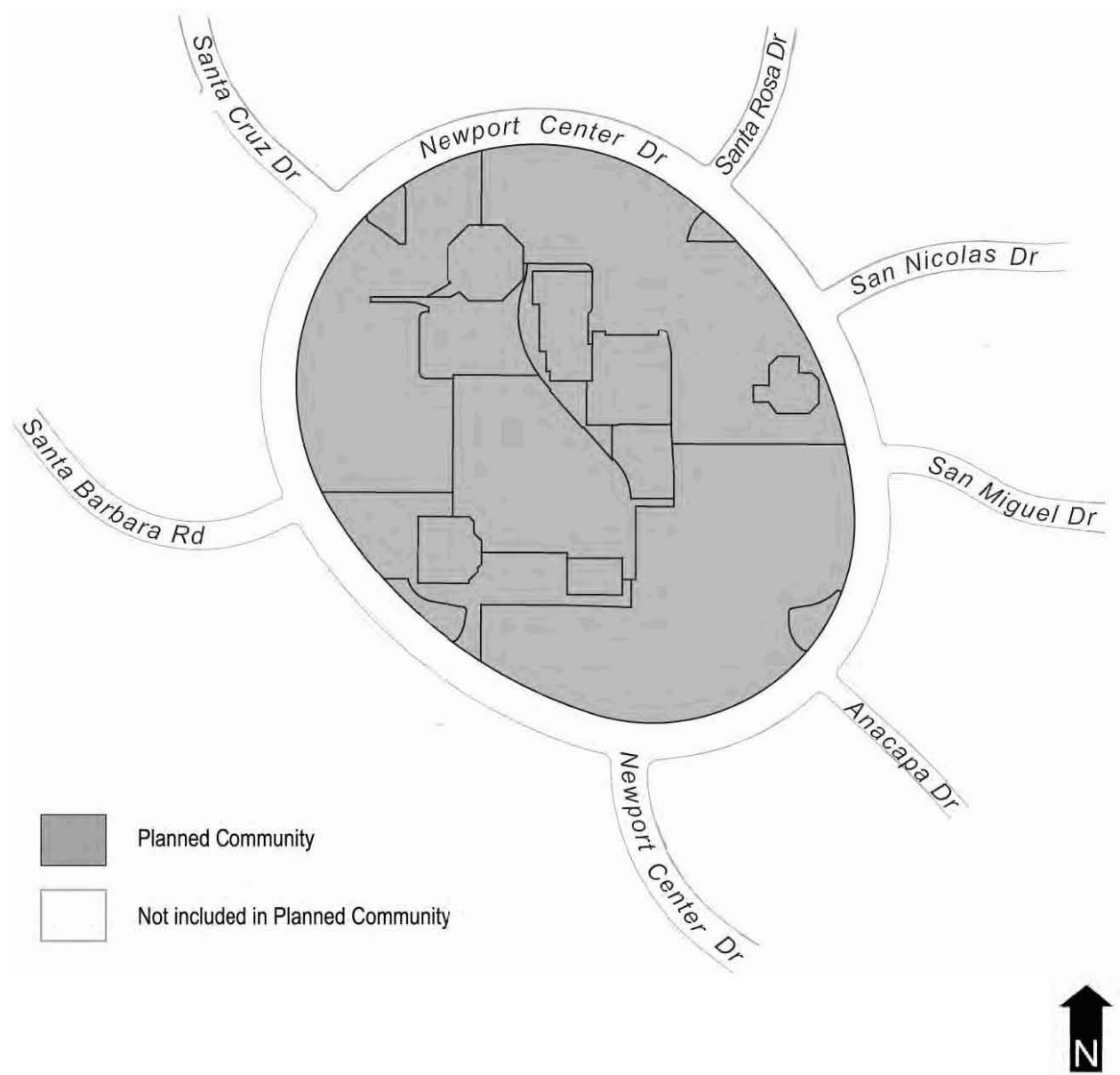


Figure 2 – Fashion Island Sub-Area

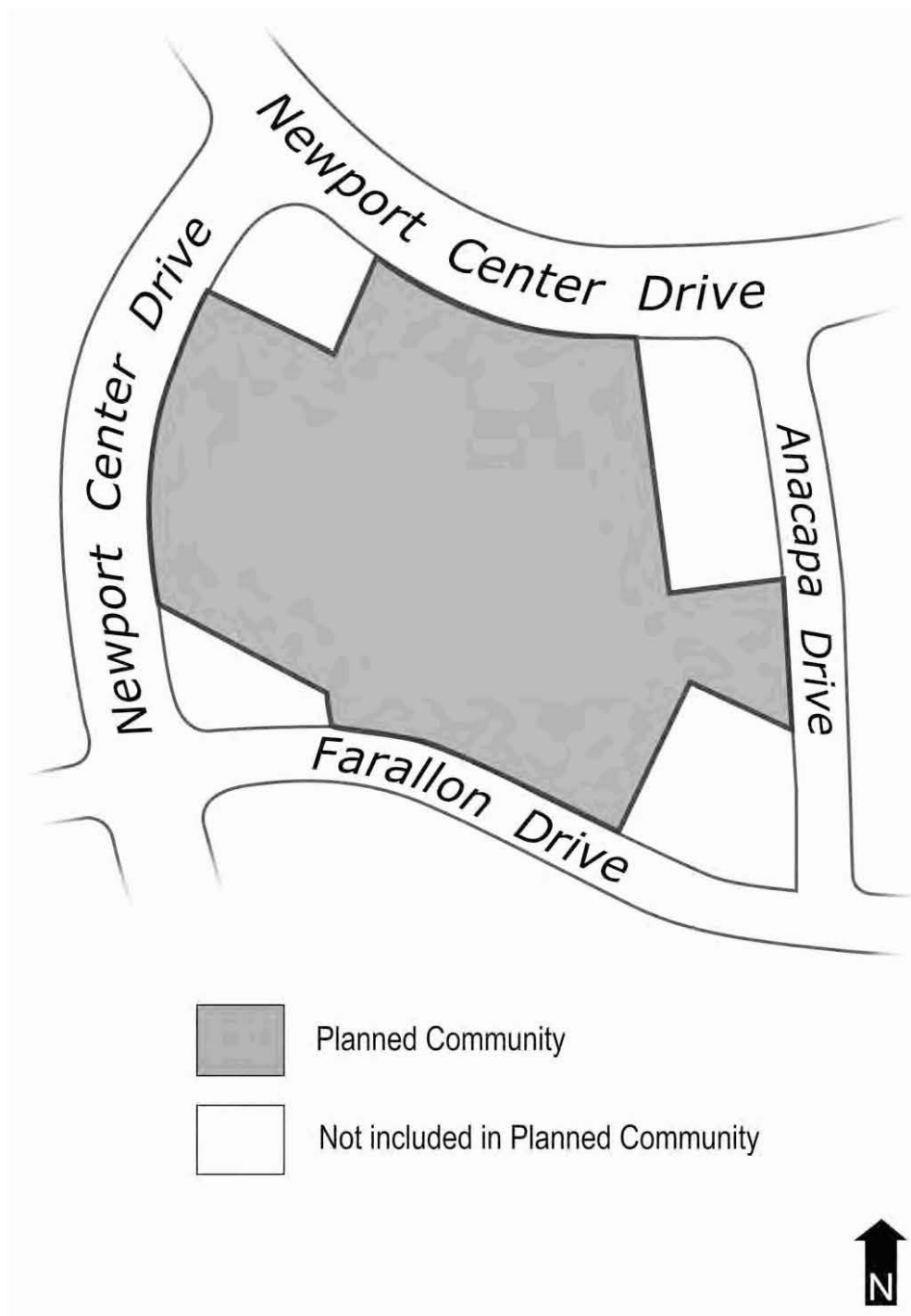


Figure 3 – Block 100 Sub Area

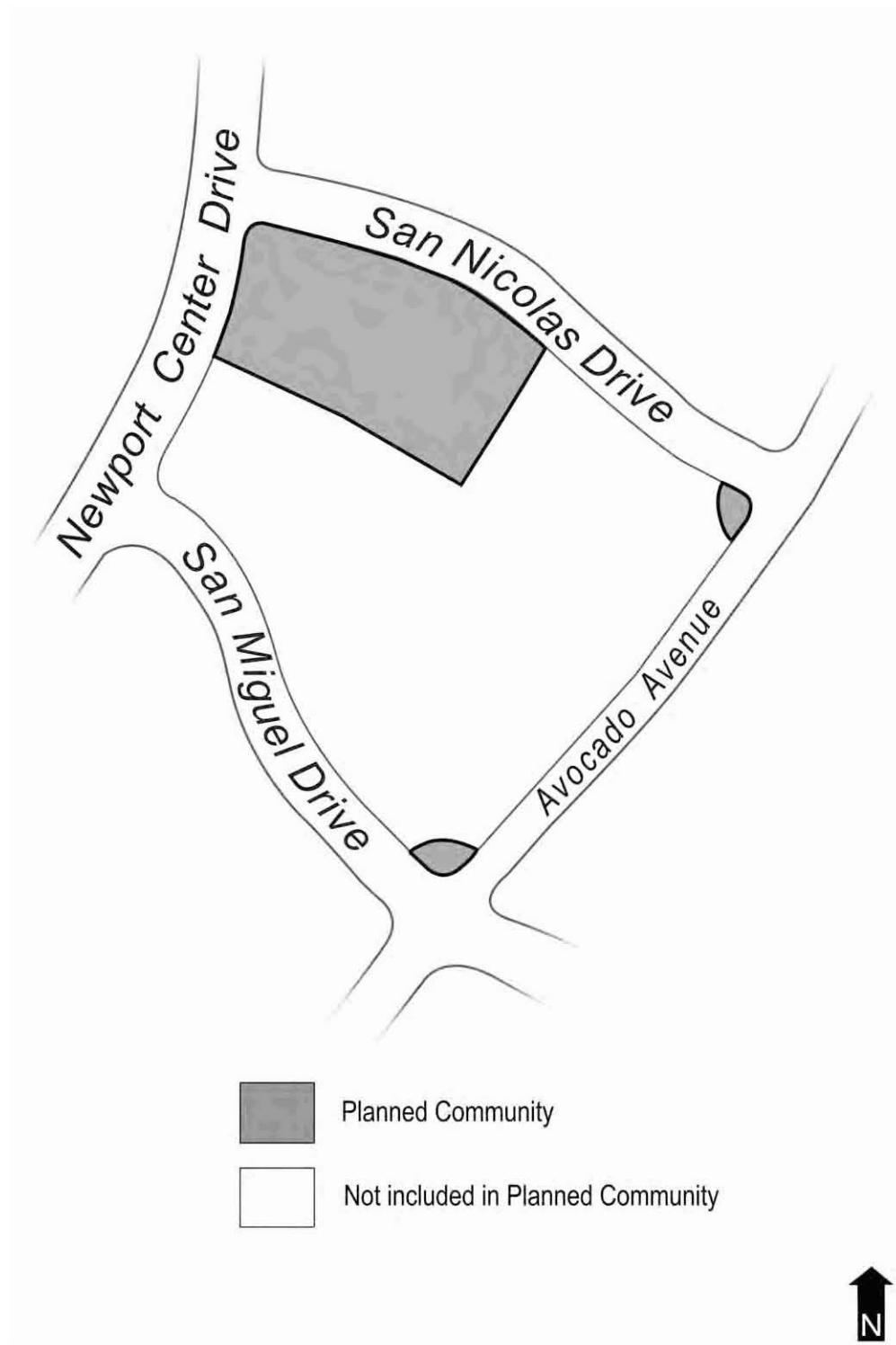


Figure 4 – Block 400 Sub Area

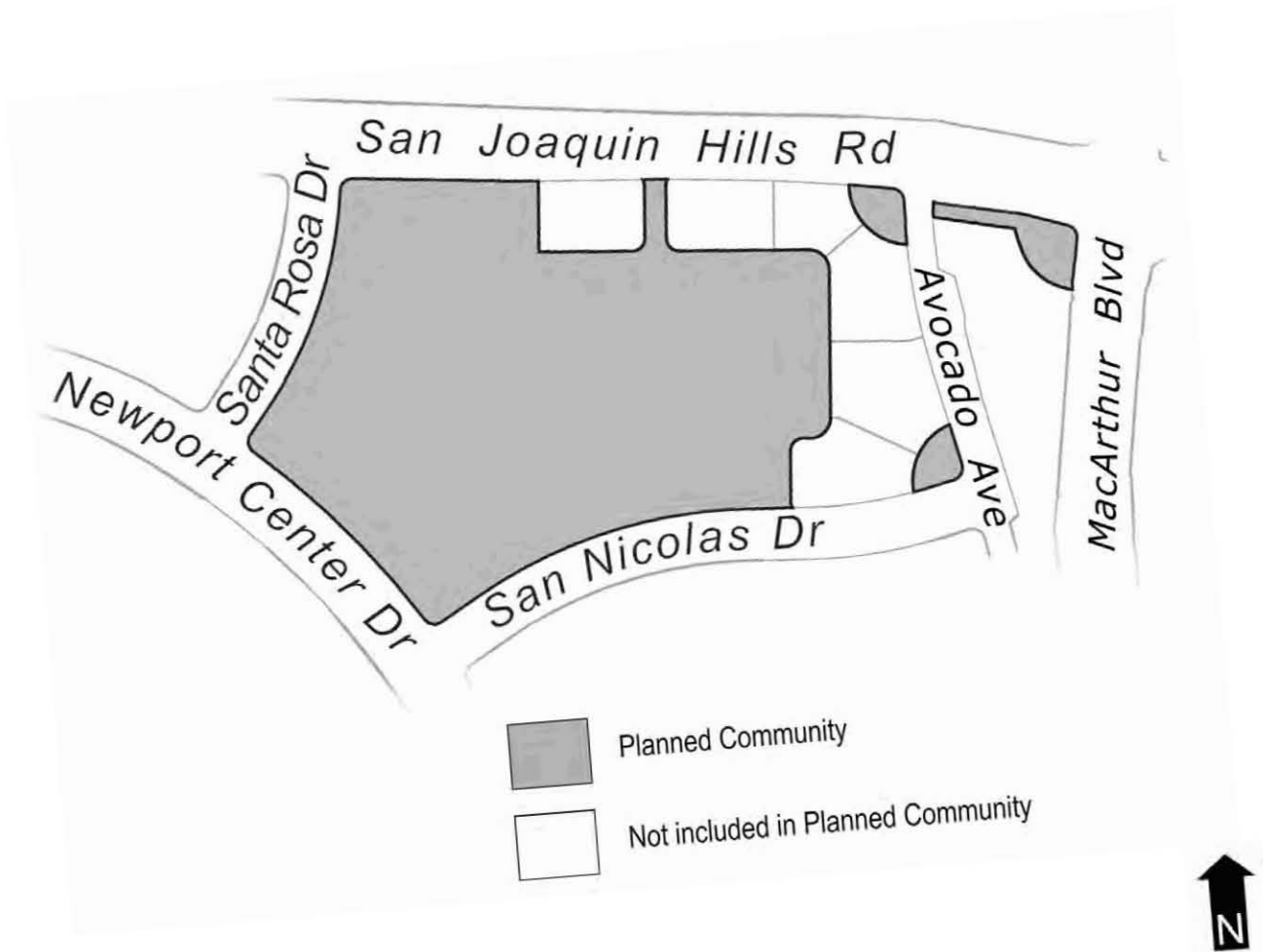


Figure 5 – Block 500 Sub-Area

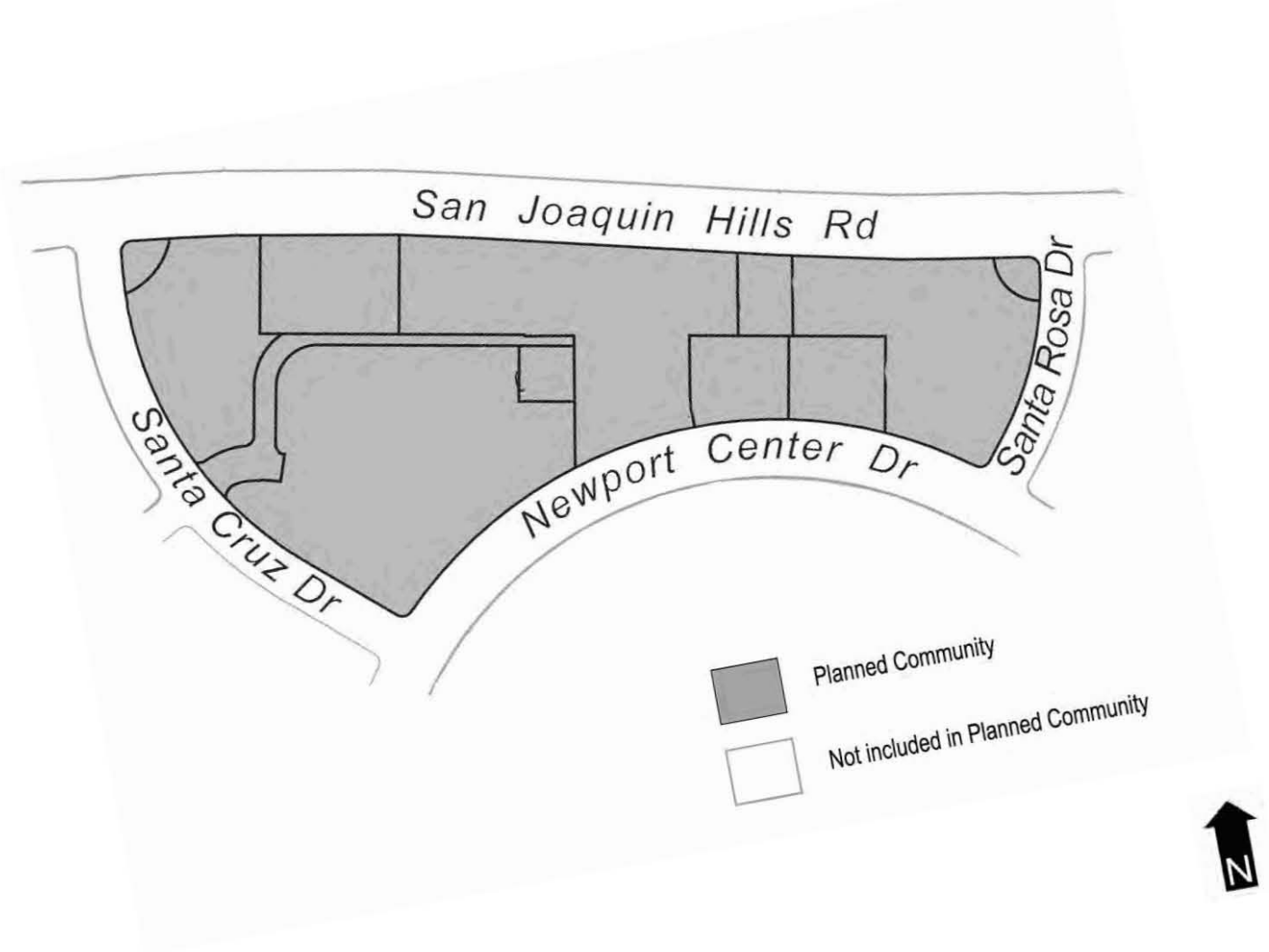


Figure 6 – Block 600 Sub-Area

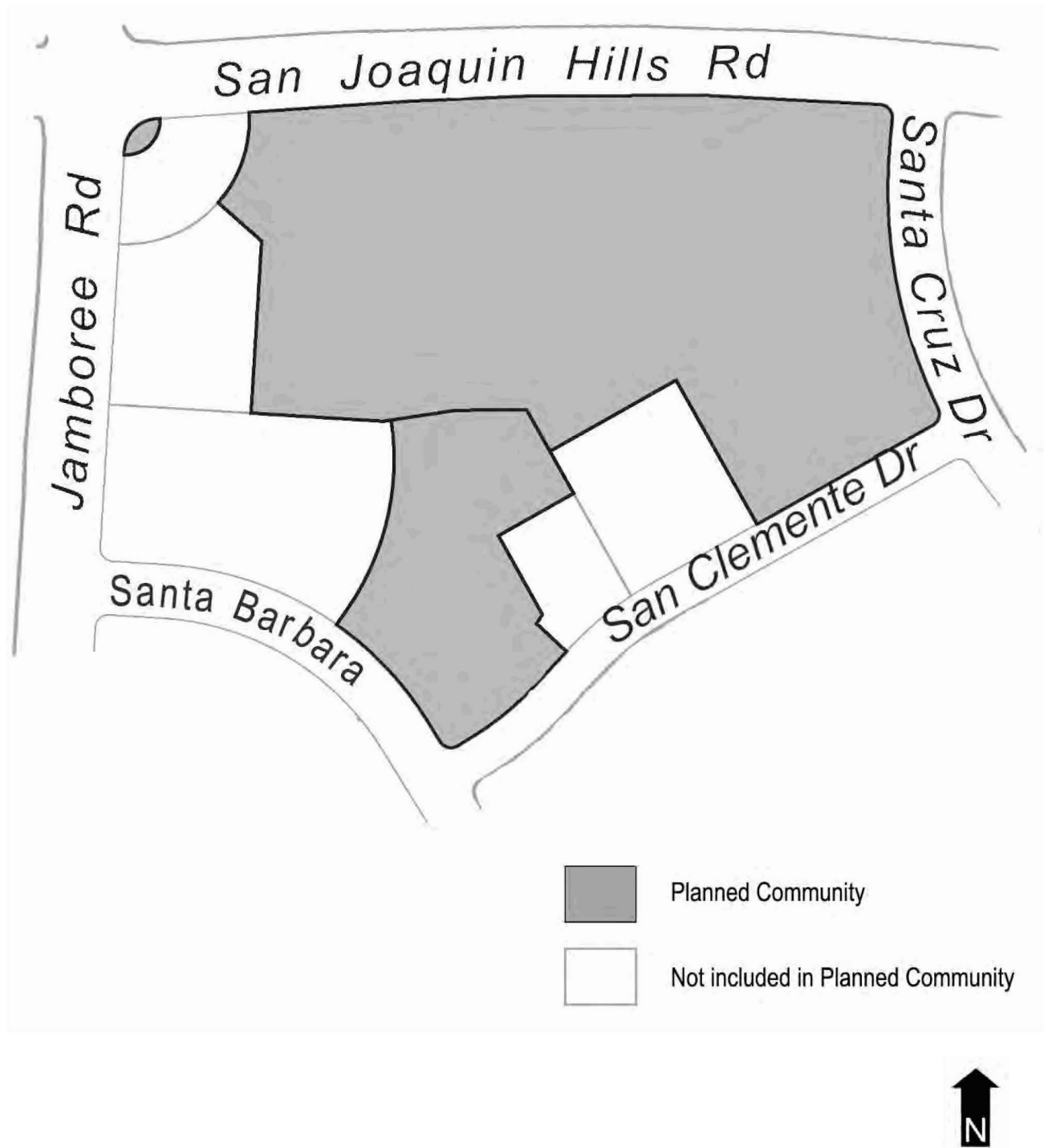


Figure 87 – San Joaquin Plaza Sub-Area

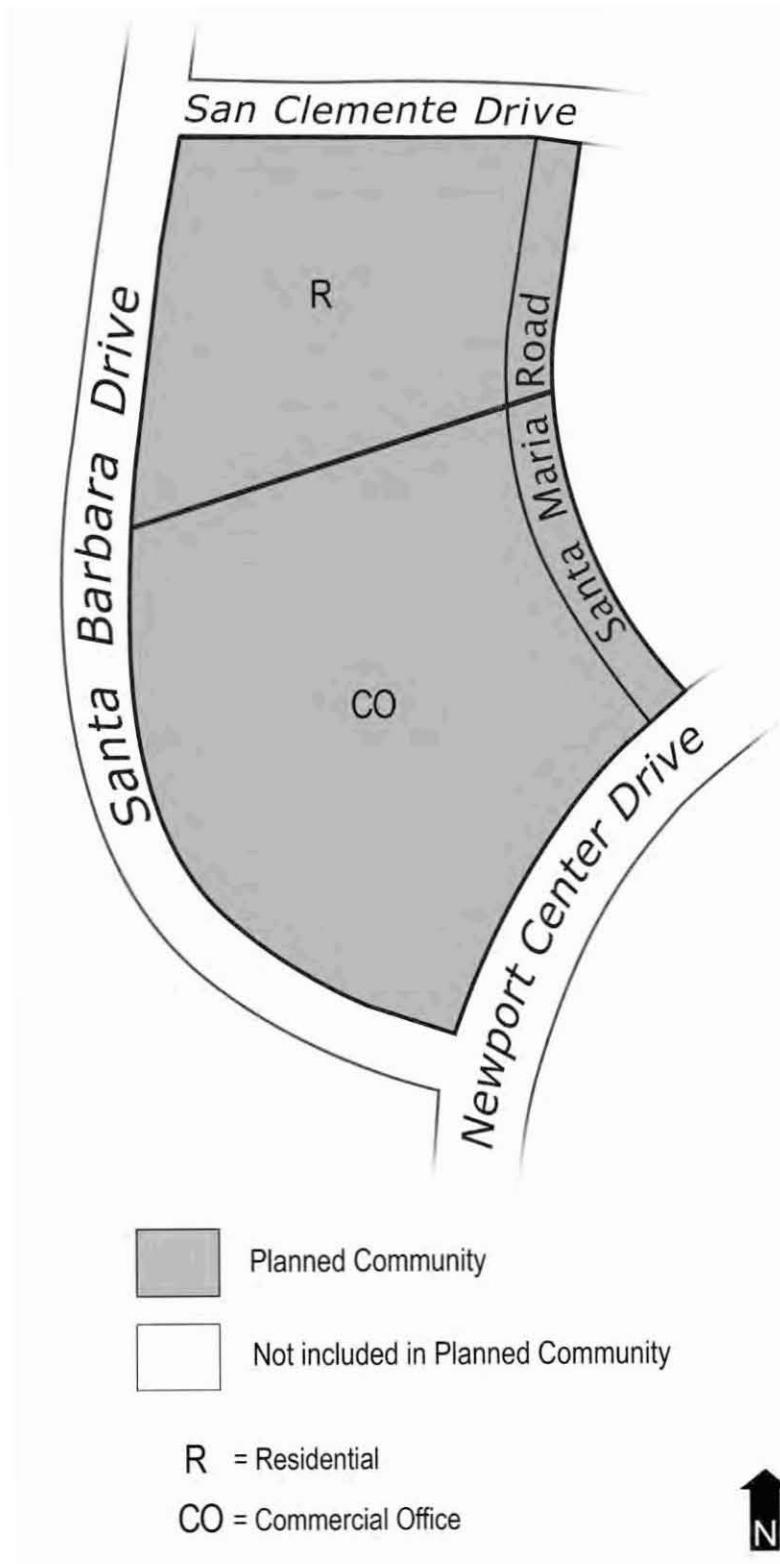


Figure 78 - Block 800 Sub-Area

B. Relationship to Municipal Code

Whenever the development regulations of this plan conflict with the regulations of the Newport Beach Municipal Code, the regulations contained herein shall prevail. The Municipal Code shall regulate this development whenever regulations are not provided within these district regulations. All words and phrases used in this North Newport Center PC Development Plan shall have the same meaning and definition as used in the City of Newport Beach Municipal Code unless defined differently in Section V – Definitions.

The Municipal Code referred to herein is the version of the Code in effect on December 18, 2007 and specifically includes Title 15 of the Municipal Code (Buildings and Construction), Title 19 of the Municipal Code (Subdivisions) and Title 20 of the Municipal Code (Planning and Zoning) but specifically excluding all other sections of the Municipal Code including Title 5 of the Municipal Code (Business Licenses and Regulations).

C. Relationship to North Newport Center Design Regulations

Development in North Newport Center shall be regulated by both the Development Plan and the Design Regulations, which is provided as Appendix A.

II. Land Use and Development Regulations

A. Permitted Uses

1. General

Permitted uses are those uses set forth in this Section for each sub-area as shown on Table 1. The uses identified within the table are not comprehensive but rather major use categories. Specific uses are permitted consistent with the definitions provided in Section V of this Development Plan. Uses determined to be accessory or ancillary to permitted uses, or residential support uses to permitted uses are also permitted. The Planning Director may determine other uses not specifically listed herein, provided they are consistent with the Commercial Office, Regional Commercial, Mixed-Use, and Residential General Plan districts, the purpose of this Planned Community Development Plan, and the purpose of the sub-area in which the property is located.

Table 1 - North Newport Center Land Use Regulation Table

Uses	Fashion Island	Block 100	Block 400	Block 500	Block 600	Block 800		San Joaquin Plaza
						<u>Commercial Office</u>	<u>Residential</u>	
Banks/Savings and Loans	P	P	P	P	P	<u>P</u>	--	P
With drive through services	MUP	MUP	MUP	MUP	MUP	<u>MUP</u>	--	MUP
Business, Government and Professional	--	P	P	P	P	<u>P</u>	--	P
Emergency Healthcare	--	P ¹	P	P	P	<u>P</u>	--	P
Management and Leasing Offices	P	P	P	P	P	<u>P</u>	--	P
Office, Medical and Dental	--	P	P	P	P	<u>P</u>	--	P
Public Safety Facilities	P	MUP	MUP	P	P	<u>MUP</u>	--	P
Commercial Recreation and Entertainment	P	UP	UP	MUP	MUP	<u>UP</u>	--	MUP
Cultural and Institutional	UP	UP	UP	P	P	<u>UP</u>	--	P
Day Care	P	P ¹	P ¹	P	P	<u>P¹</u>	--	P
Day Spas	MUP	MUP ²	MUP ²	MUP	MUP	<u>MUP²</u>	--	MUP
Eating and Drinking Establishments	P*	MUP	MUP	P**	P**	<u>MUP</u>	--	P**
Bars/Cocktail Lounges	MUP	UP	UP	UP	UP	<u>UP</u>	--	UP
Personal Improvement	MUP	MUP	MUP	P	P	<u>MUP</u>	--	P
Health/Fitness Clubs	MUP	MUP	MUP	P	P	<u>MUP</u>	P+	P
Personal Services	P	P ¹	P ¹	P	P	<u>P¹</u>	P	P
Residential	--	--	--	P	P	<u>--</u>	P	P
Retail Sales	P	P ¹	P ¹	P	P	<u>P¹</u>	P+	P
Animal Sales and Services	MUP	--	--	MUP	MUP	<u>--</u>	--	MUP
Medical Retail	P	P++	P++	P	P	<u>P++</u>	--	P
Visitor Accommodations	UP	UP	UP	UP	UP	<u>UP</u>	--	UP

P = Permitted

UP = Use Permit

MUP = Minor use Permit Issued by the Planning Director

1 = Permitted as Accessory/Ancillary Use

2 = In accordance with Chapter 20.87 of the Municipal Code

* = A Minor Use Permit Issued by the Planning Director is required for the sale of alcohol

** = A Use Permit is Required for the Sale of Alcohol

+ = Intended for Residential Support Use

++ = Accessory and ancillary medical retail, including those in freestanding structures, shall remain subordinate to principal uses

-- = Not Permitted

2. Open Space Corners

The passive landscape areas on the following corners shall be limited to landscaping, and permitted signage.

San Joaquin Hills Road and Avocado, Avocado and San Nicolas Drive (northwest and southwest corners), Avocado and San Miguel (northwest), San Joaquin Hills Road and Santa Rosa Drive (southwest and southeast), San Joaquin Hills Road and Santa Cruz Drive (southwest and southeast corners), San Joaquin Hills Road and Jamboree Road and San Joaquin Hills Road and MacArthur Boulevard.

3. Special Events

The general regional Mixed-Use nature of North Newport Center results in a variety of special events and temporary uses throughout the year. Special community events, such as parades, trade shows, car shows, pageants, community concerts, outdoor displays, recreation/entertainment events and temporary structures are permitted within the North Newport Center Planned Community consistent with the following provisions:

- If the event takes place on private property within Fashion Island the event is not regulated so long as it does not displace required parking. Such events must comply with the City's Municipal Code related to noise control and other pertinent standards.
- If the event takes place anywhere else within North Newport Center or the public right-of-way, such events are permitted as long as they comply with the Municipal Code.

B. Development Limits

The development limits in this Development Plan are consistent with those established by the General Plan and are identified in Table 2 below. Development limits may be modified through the approval of a Transfer of Development Rights. Carts, kiosks, temporary and support uses are permitted and are not counted towards square footage development limits.

Table 2 – Development Limits

Land Use	Fashion Island	Block 100	Block 400	Block 500	Block 600	Block 800	San Joaquin Plaza	Total
Regional Commercial	1,619,525 sq. ft.	0	0	0	0	0	0	1,619,525 sq. ft.
Movie Theater	1,700 seats (27,500 sq. ft.)	0	0	0	0	0	0	1,700 seats (27,500 sq. ft.)
Hotel	(A)	0	0	0	295	0	0	295
Residential	0	0	0	(B)	(B)	245	(B)	675
Office/ Commercial	0	121,114 -0- sq. ft. (C)	91,727 sq. ft.	526,517 310,684 sq. ft.	1,292,637 1,387,873 sq. ft.	286,166 0	95,550 337,261 sq. ft.	2,413,711 2,127,545 sq. ft.

A. Hotel rooms are permitted in Fashion Island through the transfer of development rights.

B. Residential units are permitted in Block 500, Block 600 and San Joaquin Plaza if the total number of units does not exceed 430 units.

C. The maximum development for Block 100 may not exceed 121,114 square feet. Transfers of development rights shall be permitted, provided the maximum development limit of 121,114 square feet is not exceeded. [Transfers have resulted in no remaining intensity in Block 100.](#)

1. Fashion Island

The total gross floor area for Fashion Island is 1,619,525 square feet plus the 1,700-seat movie theater. The movie theater building area is equivalent to and may be converted to 27,500 square feet of retail development. The conversion of the movie theater to retail space shall not require any additional parking. The gross floor area for Regional Commercial development is the total horizontal floor area of all floors of a building within the exterior walls thereof, measured in square feet, exclusive of common areas such as, but not limited to: covered malls and walkways, carts, kiosks, open or roofed patio areas (defined by planters, awnings, shade structures, fences or rails), covered entries, covered parking, driveways or loading areas.

2. Mixed-Use Sub-Areas

The Mixed-Use blocks include Block 500, Block 600 and San Joaquin Plaza. Up to 430 residential units and 295 hotel rooms are permitted within the Mixed-Use blocks. Residential and hotel uses are measured on a per unit basis. The gross floor area for all other permitted uses is the total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls, including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms and basement or attic areas having a height of more than seven feet. Excluded are covered porches, walkways and loading docks, service tunnels, and mechanical shafts. Mechanical spaces on roofs, which are inaccessible to tenants, are not counted as square footage. Development limits for residential uses are based on unit counts, and are not within square footage limits. Support uses are not included in the square footage development limits and shall not require parking.

3. Commercial Office Blocks

The maximum development limit for Block 100 is 121,114 square feet, ~~and~~ for Block 400 is 91,727 square feet and for Block 800 Commercial Office is 286,166 square feet. The gross floor area for all permitted uses is the total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls, including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms and basement or attic areas having a height of more than seven feet. Excluded are covered porches, walkways and loading docks, service tunnels, and mechanical shafts. Mechanical spaces on roofs, which are inaccessible to tenants, are not counted as square footage. Support uses are not included in the square footage development limits and shall not require parking.

4. Block 800 Residential

The maximum number of dwelling units for multi-family residential use shall not exceed 245.

C. Transfer of Development Rights

The transfer of development rights among sub-areas of this Planned Community and to/from other areas in the Newport Center/Fashion Island District identified in the General Plan is allowed in accordance with the General Plan.

Development rights may be transferred through a change in location of use(s) and/or a conversion of non-residential use to any other non-residential use allowed by the General Plan and this Planned Community Development Plan or applicable zoning at the receiving site(s). Residential use may be relocated, but may not be converted to or from another use.

The transfer of development rights shall be approved, as specified in Section IV.C below, if the transfer will not result in any adverse traffic impacts and will not result in greater intensity than development allowed without the transfer.

III. Site Development Standards

The following site development standards shall apply to the North Newport Center Planned Community.

A. Permitted Height of Structures

1. Standards for Allowable Heights

Allowable heights are determined by sub-area. All building heights are measured at finished grade.

Fashion Island: The maximum heights of structures within Fashion Island are depicted in Table 3, Fashion Island Height Limits.

Table 3 – Fashion Island Height Limits

Building Type	Height
Major Buildings	125'
Mall Buildings	75'
Parking Structures	55'
Periphery Buildings	40'

Block 100: The maximum height of all structures shall be 50 feet as measured from finished grade.

Blocks 400, 500, and 600: The maximum height of all structures shall be 295 feet as measured from finished grade.

Block 800 : The maximum height of all structures [within the residential portion](#) shall be 200 feet as measured from finished grade. [The maximum height of all structures within the commercial office portion shall be 125 feet as measured from finished grade.](#)

San Joaquin Plaza: The maximum height of all structures in San Joaquin Plaza shall be 65 feet as measured from finished grade.

2. Standards for Buildings Over 200 Feet in Height

a. Aviation Compatibility

Prior to issuance of building permits, the project applicant must demonstrate that the following conditions have been satisfied. New development shall be required to comply with the following conditions related to the Airport Environs Land Use Plan (AELUP) for the John Wayne Airport:

1. For development of structures that exceed 200 feet in height above ground level at a development site, applicants shall file a Notice of Proposed Construction or Alteration with the Federal Aviation Administration (FAA) (FAA Form 7460-1). Following the FAA's Aeronautical Study of the project, projects must comply with conditions of approval imposed or recommended by the FAA. Subsequent to the FAA findings, the

City shall refer the project to the Airport Land Use Commission (ALUC) of Orange County for consistency analysis.

2. No buildings within the North Newport Center Planned Community area shall penetrate the FAA Federal Aviation Regulations (FAR) Part 77 imaginary obstruction surface for John Wayne Airport.
3. Applicants shall file a Notice of Proposed Construction or Alteration with the FAA (Form 7460-1) for any construction cranes that exceed 200 feet in height above ground level.

b. Shade Standards

Prior to issuance of a building permit for a structure over 200 feet in height that has the potential to shade residential areas north of San Joaquin Hills Road, a shade study shall be prepared by the applicant and submitted to the City. The shade study shall demonstrate that the new development will not add shade to the designated residential areas beyond existing conditions for more than three hours between the hours of 9:00 a.m. and 3:00 p.m. Pacific Standard Time, or for more than four hours between the hours of 9:00 a.m. and 5:00 p.m. Pacific Daylight Time.

The shade study shall be prepared to the satisfaction of the Planning Director and the Planning Director shall determine conformance with the standards identified herein as part of the plan review process.

c. Rooftop Appurtenances

Rooftop appurtenances are permitted and may exceed the maximum building height up to 20 feet. Rooftop appurtenances shall demonstrate compliance with conditions related to the AELUP for the John Wayne Airport, consistent with Section III(A)(2)(a). Rooftop appurtenances must be screened from view; the height of rooftop appurtenances shall not exceed the height of the screening. Supports for window washing equipment are permitted, and are not required to be screened from view. No setbacks are required. The Planning Director shall notify the Planning Commission and City Council if rooftop appurtenances above the height limit are approved, consistent with Section IV(A)(3).

d. Architectural Features

Architectural features are permitted and may exceed the maximum building height up to 20 feet. Such features must be an extension of the architectural style of the building in terms of materials, design and color. Architectural features shall demonstrate compliance with conditions related to the AELUP for the John Wayne Airport, consistent with Section III(A)(2)(a). The Planning Director shall notify the Planning Commission and City Council if architectural features above the height limit are approved, consistent with Section IV (A)(3).

B. Setback Requirements

Setbacks for the seven sub-areas are listed below. Setbacks for surface parking must be screened using hedges, landscaping or other similar methods. Setbacks are the minimum distance from the property line to building, parking structure, or parking lot, unless otherwise specified. This is not intended to apply to interior lot lines or property lines.

Fashion Island

Newport Center Drive: 10 feet; may be reduced to 0 feet by the Planning Director through the plan review process.

Block 100

Newport Center Drive: 15 feet
Anacapa Drive: 15 feet
Farallon Drive: 15 feet

Block 400

Newport Center Drive: 15 feet
San Nicolas Drive: 15 feet

Block 500

Newport Center Drive: 15 feet
Santa Rosa: 15 feet
San Joaquin Hills: 15 feet
San Nicolas: 15 feet

Block 600

Newport Center Drive: 15 feet
Santa Cruz: 15 feet
San Simeon: 15 feet – setbacks for parking structure access points may be reduced by the Planning Director through the plan review process
San Joaquin Hills: 15 feet – setbacks for parking structure access points may be reduced by the Planning Director through the plan review process
Santa Rosa: 15 feet
Center Drive (e/w): 0 feet
Center Drive (n/s): 0 feet

Block 800

[Newport Center Drive: 15 feet](#)
[Commercial office buildings shall be set back 15 feet from Block 800 residential](#)
[Commercial office parking lots and parking structures shall be set back 5 feet from Block 800 residential](#)
Santa Barbara Drive: 15 feet
San Clemente Drive: 15 feet
Santa Maria Road: 0 feet

San Joaquin Plaza

San Joaquin Hills: 15 feet
Santa Cruz: 15 feet
San Clemente: 15 feet
Santa Barbara: 15 feet

C. Parking Requirements

1. General Standards

Parking requirements are based on gross floor area (as defined in the Development Limits for Fashion Island) for regional commercial uses, net floor area for office/commercial uses, and unit counts for hotel rooms and residential units. Kiosks for retail sales, covered or uncovered, shall not be included in the calculation of required parking. Accessory, ancillary, and support uses for hotel and residential developments shall not be included in the calculation of required parking. Kiosks and sundry shops serving tenants, including accessory, ancillary and support uses less than 5 percent of the gross floor area, are not counted as square footage and do not require parking. Parking management or engineering offices located in parking structures are counted as square footage and require parking.

Parking requirements for North Newport Center are shown below on Table 4, North Newport Center Parking Requirements.

Table 4 - North Newport Center Parking Requirements

Land Use	Parking Requirement
Regional Commercial	3 spaces per 1,000 square feet ¹
Movie Theater	3 spaces per 1,000 square feet
Office	1 space per 375 square feet
Medical Office	Municipal Code
Hotel	Municipal Code
Residential	2 spaces per unit includes 1 covered; plus 0.5 spaces per unit up to 50 units, then 0.25 spaces per unit thereafter for guest parking
Other	Municipal Code

For San Joaquin Plaza, a parking management plan shall be required to utilize the parking ratios identified in Table 4 to demonstrate provision of adequate parking. If a parking management plan is not prepared for San Joaquin Plaza, parking shall be provided per the Municipal Code. Parking for Block 100, ~~and Block 400~~ and Block 800 Commercial Office shall be provided per the Municipal Code. Parking for Block 800 Residential shall be provided at 2 parking spaces per unit including 1 covered; plus 0.5 spaces per unit for guest parking.

2. Valet Parking

Valet parking and satellite parking with shuttle service that involves use of the public right-of-way shall require approval by the City Traffic Engineer.

3. Parking Management Plan

Parking management plans may be prepared if the applicant wishes to deviate from the parking standards identified above.

Parking management plans may address issues such as modified parking requirements based upon complimentary peak hour demand of uses, off peak shared parking between sub-areas, drop off and

¹ The parking requirement during the peak seasonal period is 4 spaces per 1,000 square feet per an existing parking management plan.

valet services on private property, and tandem parking. The parking management plan shall take into account properties that are not part of the Planned Community district, but that are served by parking located within the district, and shall ensure that no detrimental effects to the existing parking for such properties occur. Parking management plans shall be prepared by an independent traffic engineer at the applicant's expense. Parking management plans shall be approved by the City Traffic Engineer prior to the issuance of building permits.

D. Landscaping

Landscaping shall be installed subject to the following standards and maintained in a healthy, weed-free condition, free of litter and so as not to interfere with traffic safety

1. **Surface Parking Lot Landscaping:** Parking lots shall be landscaped at a minimum of 1 tree per 5 parking spaces. The minimum size of trees shall be 24-inch box.
2. **Water Conservation:** Satellite linked irrigation controllers or appropriate best management practices shall be incorporated into landscape design for new construction.

E. Lighting

Parking lots and walkways accessing building and parking areas shall be illuminated with a minimum maintained 0.5 foot-candle average on the driving or walking surface during the hours of operation and one hour thereafter. If the applicant wishes to deviate from this lighting standard, a lighting plan may be prepared by the applicant and submitted to the Planning Director for review and approval.

Indirect, decorative halo banding along the top of buildings is permitted.

F. Signs

1. General Sign Standards

All permanent and temporary signs in North Newport Center that are visible from public right-of-ways and public property shall be consistent with the provisions of these sign standards, unless otherwise approved by the Planning Director. All permanent and temporary signs that are not visible from public right-of-ways are not limited in quantity, size, location, or design. Sign illumination is permitted for all sign types.

Wall signs that are visible from public right-of-ways must consist of individual fabricated letters; or routed-out letters in an opaque background. Enclosed "box" or "can" signs are not permitted, unless they are logos.

All commercial uses are permitted to place at each entry an incidental sign located at or below eye level to be visible to pedestrians, and shall not exceed six square feet.

In addition to other signs permitted in this section, signs used to give direction to vehicular or pedestrian traffic are permitted. Directional signs oriented to vehicular or pedestrian traffic within internal drives or walkways of a development block are not regulated. Directional signs oriented to vehicular or pedestrian traffic in the public right of way are regulated as follows. Sign content shall not be limited. Signs shall be subject to the review of the City Traffic Engineer to ensure adequate sight distance in accordance with the provisions of the Municipal Code. Directional signs are limited

to a maximum of 10 square feet in size but are not limited in quantity, location, or design. Temporary signs that are intended to be displayed for 60 days or less are permitted for purposes related to special events, holiday activities and store openings. Detailed standards for temporary signs are contained below.

A comprehensive sign program may be prepared if the applicant wishes to deviate from the sign standards identified herein. Comprehensive sign programs shall be submitted for review and consideration in accordance with the provisions of the Municipal Code. Sign programs in place prior to this writing including the Island Hotel and Leasing Sign Programs shall remain in place.

2. Restricted Sign Types

Signs visible from public right-of-ways are subject to the following restrictions:

- a. No rotating, flashing, blinking, or signing with animation shall be permitted on a permanent basis.
- b. No signs shall be permitted which imitate or resemble official traffic signs or signals.
- c. No wind signs or audible signs are permitted.

Animated signs visible from public streets are not allowed unless otherwise permitted by the Municipal Code.

3. Sign Standards for Fashion Island

In addition to the general sign standards identified above, specific sign standards for Fashion Island are provided in Table 6, Fashion Island Sign Standards below.

Table 6 – Fashion Island Sign Standards

Sign Type	Location	Maximum Number	Maximum Sign Size	Maximum Letter/ Logo Height
Shopping Center Identification Sign	Each vehicle entry drive location	2 per entry drive (one on each side)	100 square feet 10 feet high	9 feet
Major Tenant Sign	Exterior walls or parapets of buildings	1 sign per building elevation (maximum 4 signs for each major tenant)	Determined by name of tenant; letter/logo height not to exceed 10 feet	10 feet
Freestanding Commercial	Exterior walls or parapets of buildings	1 sign per building elevation (maximum 4 signs for each building or structure)	Determined by name of tenant; letter/logo height not to exceed 3 feet	3 feet
	Monument	1 per building	50 square feet 5 feet high	4.5 feet
Tenant Sign	Exterior elevations of shopping center and parking structures facing Newport Center Drive	1 sign per tenant, per building elevation	1 square foot per each lineal foot of storefront (not to exceed 100 square feet)	10 feet

Sign Type	Location	Maximum Number	Maximum Sign Size	Maximum Letter/Logo Height
Theater Signs	Facing Newport Center Drive (exterior wall or parapet of building which theater occupies, free standing, or on adjacent parking structure)	1	300 square feet 20 feet high	Theater name: 5 feet Each show title: 3 feet high 15 feet wide
Store Address	Each entry to store	1 per store entry	6 square feet	12 inches
Entry Marker Signs	To be approved by Planning Director	7 signs	36 square feet (with 2-foot overhang) 15 feet high	2 feet

4. Sign Standards for Mixed-Use and Commercial Office Blocks

In addition to the general sign standards identified above, specific sign standards for the Mixed-Use blocks, Block 100, Block 400 and Block 800 are provided in Table 7 below.

Primary building address numbers shall be visible from the street (and/or pedestrian walkways in the case of necessity), and be located on the building so that they are visible from adjacent frontage roads and designated parking areas, except for the buildings at 500 and 550 Newport Center Drive, which have their primary address numbers on the cubes along Newport Center Drive. Secondary address signs may be located where appropriate for on-site orientation and safety. All address signs shall have a consistent color, design, and material for any given building. A single letter style is recommended.

Table 7 – Sign Standards for Blocks 100, 400, 500, 600, 800 and San Joaquin Plaza

Sign Type	Description	Location	Maximum Number	Maximum Sign Size	Maximum Letter/Logo Height
A	Large cube or blade sign located at entries to Newport Center	Santa Rosa Drive at San Joaquin Hills Road	2 (1 per corner)	15 feet high 15 feet wide	24 inches
		Santa Cruz Drive at San Joaquin Hills Road	2 (1 per corner)	15 feet high 15 feet wide	24 inches
		Block 500: at San Joaquin Hills Road / Avocado	1	15 feet high 15 feet wide	24 inches
		Block 500: at San Nicolas / Avocado	1	15 feet high 15 feet wide	24 inches
		MacArthur Boulevard at San Joaquin Hills Road	1	15 feet high 15 feet wide	24 inches
		San Joaquin Plaza: at Jamboree / San Joaquin Hills Road	1	15 feet high 15 feet wide	24 inches
B	Small cube located along Newport Center Drive	San Nicolas Drive at Newport Center Drive	2 (1 per corner)	5 feet high 5 feet wide	5 inches
		Newport Center Drive and Santa Rosa	2 (1 per corner)	5 feet high 5 feet wide	5 inches
		Block 600: Along Newport Center Drive	5	5 feet high 5 feet wide	5 inches
		Block 800: <u>Newport Center Drive and Santa Maria Road</u>	<u>1</u>	<u>5 feet high</u> <u>5 feet wide</u>	<u>5 inches</u>
C	Other Freestanding	Block 100	1 per frontage	5 feet high 10 feet wide	10 inches

Sign Type	Description	Location	Maximum Number	Maximum Sign Size	Maximum Letter/Logo Height
	Signs	Block 400: Avocado at San Miguel Along San Nicolas	2 1	5 feet high 6 feet wide	13 inches
		Between 500 and 550 Newport Center Drive	1	4 feet high 12 feet wide	18 inches
		Block 600: Along Santa Cruz Drive	2	7 feet high 22 feet wide	18 inches
		Block 800: Along Santa Barbara Drive	1 1	5 feet high 25 feet wide 3.5 feet high 10 feet wide	14/24 inches 20 inches
		Santa Cruz Drive at Newport Center Drive	1	15 feet high 15 feet wide	24 inches
		San Joaquin Plaza: Along San Joaquin Hills Road; Santa Cruz Drive; San Clemente Drive	1 each (3 signs along San Clemente Drive)	6 feet high 12 feet wide	5 1/2 inches for Tenant ID; 18 inches for Project ID
		San Clemente Drive at Santa Cruz Drive	1	5 feet high 12 feet wide	18 inches
		San Clemente Drive at Santa Barbara	1	5 feet high 16 feet wide	18 inches
D	Signs mounted on landscape walls (includes ground mounted signs in front of landscaping and landscape walls)	Block 400: facing Newport Center Drive	1	Determined by name of tenant; letter/logo height not to exceed 18 inches	18 inches
		Block 500: facing Newport Center Drive	4	Determined by name of tenant; letter/logo height not to exceed 26 inches	26 inches
		Block 600: facing streets	2 facing San Joaquin Hills; 5 facing Newport Center Drive; 1 facing Santa Rosa	Determined by name of tenant; letter/logo height not to exceed 18 inches	18 inches
		Block 800: at San Clemente project entry	2	Determined by name of tenant; letter/logo height not to exceed 36 inches	36 inches
		Block 800: at San Clemente / Santa Barbara	1	Determined by name of tenant; letter/logo height not to exceed 36 inches	36 inches
		Block 800 Along Newport Center Drive	1	Determined by name of tenant; letter/logo height not to exceed 40 inches	40 inches

Sign Type	Description	Location	Maximum Number	Maximum Sign Size	Maximum Letter/Logo Height
E	Building Sign	On building elevation, awning or parking structure	2 per Primary Tenant 1 per Secondary Tenant 3 for restaurants	Determined by name of tenant; letter/logo height not to exceed: Primary 24 inches, Secondary 16 inches Restaurant: 40 inches high	Primary Tenant - 24 inches Secondary Tenant - 16 inches Restaurant: 40 inches
F	Building Address	On building elevation	1 each (additional address signs may be located where appropriate for on-site orientation)	24 inches high	24 inches
G	Freestanding Building Address	Santa Rosa Drive at Newport Center Drive; San Nicolas Drive at Newport Center Drive; Santa Cruz at Newport Center Drive; San Joaquin Hills Road	1 each 2	8 feet high 6 feet wide	18 inches 28 inches
H	Advisory Signs	Parking Lots and Entries to Parking Lots	As appropriate for safety and orientation	64 feet high	As required by Fire Department or Building Code for safety purposes
I	Drive Through Signs	Drive Throughs	1 per tenant per elevation, up to 2 on walls of structure	8 feet wide	15 inches
J	Apartment Leasing Signs	Block 800	1 per frontage	5 feet high by 3 feet wide panel on post	24 inches
K	Office Leasing Signs	Blocks 100, 400, 500, 600, 800 and San Joaquin Plaza	1 per frontage	4.5 feet high by 5 feet wide	7 inches

5. Temporary Signs

The following standards are intended to produce consistent sign design for temporary signs within Newport Center. Temporary signs are to identify a future site or project; or a facility under development or offered for lease. Temporary signs that are visible from public right-of-ways and identify new construction or remodeling may be displayed for the duration of the construction period beyond the 60-day limit. Signs mounted on a construction fence are allowed during construction and may be rigid or fabric. The top of the sign must be no greater than 20 feet above grade.

Maximum Number: One (1) temporary sign is permitted on a site for each frontage street, up to two (2) signs per building, but not at the same corner of the building.

Type: Single- or double-faced ground signs or wall signs.

Location: If ground signs, they may be parallel or perpendicular to the roadway. If wall signs, they must be located below the sill of second floor windows.

Design: Rectangular shape; rigid, permanent material; not fabric.

Mounting Technique: Flush with building; entirely on glass or entirely on a wall surface; not overlapping glass or wall surface.

Duration: Signs may exist from the time of lease or sale of the parcel until the construction and/or leasing of the facility is complete.

G. Residential Compatibility

In keeping with the purpose of Fashion Island and the Mixed-Use sub-areas, permitted uses in North Newport Center include uses and events that have the potential to generate noise. Due to the day/evening use of Fashion Island in particular, noise generating activities, lighting, odors from restaurants, and similar occurrences are produced and take place during all hours of operation. Such uses and events are required to comply with the City's Municipal Code regulating these uses.

Disclosures shall be made to prospective buyers/tenants of residential developments that there is an expectation for noise levels higher than in typical suburban residential areas as part of the Mixed-Use concept within North Newport Center. Additionally, the disclosure shall indicate that there is an expectation for lighting, odors and similar occurrences in a Mixed-Use setting as compared to suburban residential areas.

H. Residential Open Space Requirements

The following open space standards shall apply to residential development projects:

1. Common Outdoor Open Space

Each project shall provide common outdoor open space either at grade, podium level, or roof level. Common outdoor open space areas shall have a minimum dimension of 30 feet and may contain active and/or passive areas and a combination of hardscape and landscape features, but a minimum of 10 percent of the common outdoor open space must be landscaped. All common outdoor open space must be accessible to all residents. Projects shall provide a minimum of 5 percent common outdoor open space based on the residential lot area.

2. Common Indoor Space

Each project shall provide at least one community room of at least 500 square feet for use by all residents of the project. The area should be located adjacent to, and accessible from, common outdoor open space. This area may contain active or passive recreational facilities or meeting space, and must be accessible through a common corridor.

3. Private Open Space

At least 50 percent of all dwelling units shall provide private open space, on a balcony, patio, or roof terrace, with a minimum area of 30 square feet each and an average horizontal dimension of 6 feet. Balconies should be proportionately distributed throughout the project in relationship to floor levels and sizes of units. For any project 8 acres or larger, open space shall be provided in accordance with the General Plan.

IV. Planned Community Development Plan Administration

A. Process for New Structures

1. Purpose and Intent

The purpose of the Plan Review process is to provide for review of development proposals for new structures within the North Newport Center Planned Community district. Prior to the issuance of a building permit, all development proposals shall be subject to a Plan Review by the Planning Director for review to determine compliance with the Planned Community Development Plan and North Newport Center Design Regulations. Signs, tenant improvements, carts, kiosks, temporary structures and uses are exempt from this provision.

2. Submittal Contents

Each Plan Review submittal or amendment thereof shall contain sufficient details for a thorough review of the relationships between uses on the site and on adjacent sites consistent with the Development Plan and the Design Regulations. At the discretion of the Planning Director, the requirements for submittal of a Plan Review may be altered from those set forth below when the Director determines that other information will be sufficient to allow a thorough review of the project by the approving authority.

Submittals for Plan Review shall include plans that contain the following elements in addition to the City's submittal requirements for plan check:

- a. Existing Conditions including adjacent structures and proposed improvements
- b. Floor Plans
- c. Elevations that clearly demonstrate the architectural theme of each face of all structures, including walls and signs, illustrating the following:
 - 1) All exterior materials
 - 2) All exterior colors
 - 3) Building heights
- d. Parking management plan (where applicable)
- e. Preliminary Landscape Plan, illustrating:
 - 1) General location of all plant materials, by common and botanical names
 - 2) Size of plant materials
 - 3) Irrigation concept
- f. Lighting Plan, including: locations, fixture height, lighting fixture product type and technical specification
- g. Permitted and proposed floor area, number of hotel rooms, theater seats, and/or residential units
- h. Statement of consistency with the General Plan, Planned Community Development Plan and Design Regulations
- i. Any additional background and supporting information, studies or materials that the Planning Director deems necessary for a clear representation of the projects
- j. Shade analysis if required
- k. Open Space Plans for residential projects

3. Review and Action

Submittals shall be reviewed by the Planning Director, and the Planning Director shall approve the project if he/she makes the following findings:

- a. The proposed use and/or development is consistent with the General Plan.
- b. The proposed use and/or development is consistent with the North Newport Center PC Development Plan and Design Regulations.

The Planning Director shall notify the Planning Commission and City Council if deviations from the height limit are approved. The Planning Director action is the final action unless appealed in accordance with the Municipal Code.

B. Process for New Signs

Applications for new signs shall follow the process identified in the Municipal Code. Submittal shall be reviewed for consistency with the Development Plan and Design Regulations.

C. Transfer of Development Rights

The following procedure shall be used for the transfer of development rights.

1. The project applicant shall submit an application to the Planning Director, which identifies the quantity of entitlement (floor area, hotel rooms, theater seats) to be relocated, and the sending and receiving sites. If the requested transfer includes the conversion of non-residential uses, the application shall also identify the quantity of entitlement, by use category, before and after the transfer.
2. The City Traffic Engineer shall perform a traffic analysis to determine the total number of PM peak hour trips that would be generated by development allowed with and without the transfer. Trip generation rates shall be based on standard trip generation values in the current version of ITE's "Trip Generation," unless the Traffic Engineer determines that other rates are more valid for the uses involved in the transfer.
3. Depending on the location of the sending and receiving sites, the Traffic Engineer may determine that a more detailed traffic analysis is required to determine whether adverse traffic impacts will result from the transfer. This analysis shall demonstrate whether allowed development, with and without the transfer, would either cause or make worse an unsatisfactory level of service at any primary intersections for which there is no feasible mitigation. This analysis shall be consistent with the definitions and procedures contained in the Traffic Phasing Ordinance of the Municipal Code, except that "unsatisfactory level of service" shall be as specified in the General Plan.
4. If the transfer request involves the conversion of uses, the Planning Director shall perform a land use intensity analysis to determine the floor area that could be developed with and without the transfer. For purposes of this analysis, theater use shall be allocated 16.1765 square feet per seat. Hotel use shall be allocated the number of square feet per room at which it is included in the General Plan. When the General Plan does not specify intensity for hotel rooms, it shall be as determined by the Planning Director.

5. Applications for transfer of development rights shall be considered by the City Council as a ministerial action. The City Council shall approve a transfer of development rights if it finds that the transfer will result in no more trips and no greater intensity of land use than the development allowed without the transfer. In addition, if the traffic study in Subsection c. is required, the City Council shall approve the transfer if it results in no greater traffic impact than the development allowed without the transfer.

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V. Definitions

All words and phrases used in this North Newport Center PC shall have the same meaning and definition as used in the City of Newport Beach Municipal Code unless defined differently in this section.

Architectural Features: A visually prominent or formally significant element of a building which expressed its architectural language and style in a complementary fashion. Architectural features should be logical extensions of the massing, details, materials and color of the building which complement and celebrate its overall aesthetic character.

Advisory Sign: Any sign that contains directional or safety information; does not contain advertisements.

Audible Signs: Any sign that uses equipment to communicate a message with sound or music.

Banks/Savings & Loans: Establishments that provide a full range of retail banking and mortgage loan services to individuals and businesses. Includes only those institutions engaged in the on-site circulation of cash money. Also includes businesses offering check-cashing services. Drive-through or drive-up service included.

Bars and Cocktail Lounges: Establishments engaged in selling or serving alcoholic beverages for consumption on the premises or establishments having any of the following characteristics:

- Licensed as a “public premises” by the California Department of Alcoholic Beverage Control.
- Provides an area for serving alcoholic beverages that is operated during hours not corresponding to regular meal service hours. Food products sold or served incidentally to the sale or service of alcoholic beverages shall not be deemed as constituting regular food service.

Building Elevation: The exterior wall surface formed by one (1) side of the building.

Building Height: Building height is measured from the corresponding point on the roof to the exterior finished grade. If the building is on a sloping surface, the height measurement is taken from the building entrance. Exceptions include but are not limited to below grade parking structure entrances, motor courts, and retaining walls. See Graphic 1 on page 34.

Business, Government and Professional: Offices of firms, individuals or organizations that provide professional, executive, management or administrative services (e.g., architectural, engineering, government, insurance, investment, legal, planning). Includes administrative, clerical or public contact offices of a government agency, including incidental storage and maintenance of vehicles. Support retail and service uses also allowed.

Carts and Kiosks: Carts and kiosks are small, freestanding structures used for retail sales and services. Generally mobile in terms of ease of relocation, the structures can be seasonal, temporary or for a more permanent use.

Commercial, Recreation and Entertainment: Establishments providing participant or spectator recreation or entertainment, either indoors or outdoors, for a fee or admission charge. Illustrative examples of these uses include:

- arcades or electronic games centers having three or more coin-operated game machines
- bowling alleys
- billiard parlors
- cinemas
- ice/roller skating rinks
- live entertainment
- pool rooms
- tennis/racquetball courts
- theaters

Cultural Institutions: Public or private institutions that display or preserve objects of community, or cultural interest in one or more of the arts or sciences.

Day Care: Non-medical care and supervision of children or adults on a less than 24 hour basis, including nursery schools, preschools, and day care centers.

Day Spas: Establishments that specialize in the full complement of body care including, but not limited to, body wraps, facials, pedicures, make-up, hairstyling, nutrition, exercise, water treatments and massage which is open primarily during normal daytime business hours and without provisions for overnight accommodations.

Department Store: A store selling a wide variety of goods or services arranged in several departments.

Eating and Drinking Establishments: Establishments engaged in serving prepared food or beverages for consumption on or off the premises.

Emergency Health Care: Establishments that provide emergency medical service with no provision for continuing care on an inpatient basis.

Entry Marker Sign: Sign used to provide information on activities and events, as well as advertise stores and shops within a shopping center.

Eye Level: The height of 5 feet measured from grade.

Freestanding Commercial: Any building with a commercial use which is separated from other commercial uses by parking and/or streets.

Internal Pedestrian Street: Any walkway, path, plaza, arcade or corridor, either covered or open to the sky, which is primarily for use by people on foot and is not adjacent to the frontage road or common parking areas.

Major Building: A mall building over 50,000 square feet.

Major Tenant: A store or restaurant having a minimum of 10,000 square feet of floor space, which is located within or between other commercial buildings.

Mall Building: Retail buildings where stores front a pedestrian walkway, which may be enclosed or open.

Medical Retail: Sales of medical goods or services that are retail oriented. Illustrative examples of these uses include:

- eye exam, eyeglass/contact lens sales
- skin treatments
- body scanning
- dental enhancement treatments

Minor Use Permit: Use permit issued by the Planning Director.

Monument Sign: Any sign that is supported by its own structure and is not part of or attached to any building.

Parking Structure: Structures containing more than one story principally dedicated to parking. Parking structures may contain accessory, ancillary and resident support uses.

Periphery Building: Building located along the ring of Fashion Island adjacent to Newport Center Drive.

Personal Improvement: Includes those services that are personal and that promote the health and well-being of an individual.

Personal Services: Establishments that provide recurring services of a personal nature. Illustrative examples of these uses include:

- barber and beauty shops
- clothing rental shops
- dry cleaning pick up store with limited equipment
- dry cleaning with no on-site equipment
- home electronics and small appliance repair
- postal services
- locksmiths
- self-service laundries
- shoe repair shops
- tailors and seamstresses
- tanning salons
- printing & duplicating
- travel agencies/services
- nail salon

Podium Level: A superposed terrace conforming to a building's plan, a continuous pedestal; a level of vertical segregation linking separate areas.

Primary Tenant: The largest tenant of a building.

Project Identification Sign: A free-standing (single or double faced) monument sign containing the project name.

Public Safety Facilities: Police, fire, paramedic and emergency service facilities.

Regional Commercial Gross Floor Area: Refer to Section II.B.1 above.

Residential: An area within a structure on a parcel that contains separate or independent living facilities for one or more persons, with area or equipment for sleeping, sanitation or food preparation.

Retail Sales: Stores and shops which sell various lines of merchandise for profit. This includes the sales of non-durable and durable goods to customers. Illustrative examples of these stores and lines of merchandise include:

- antiques
- appliances
- artists supplies
- automotive accessories (no installation)
- animal sales and services
- bakeries
- bicycles
- books
- cameras and photographic supplies
- carpeting and floor covering
- clothing and accessories
- convenience markets/stores
- department stores
- drug and discount stores
- dry goods
- electronic equipment (including automotive installation)
- food and beverages
- gift shops
- handcrafted items
- hardware
- hobby materials
- jewelry
- real estate information center
- luggage and leather goods
- medical supplies and equipment
- musical instruments, parts and accessories
- office supplies
- paint and wallpaper
- pharmacies
- shoe stores
- specialty shops
- sporting goods and equipment
- supermarkets
- tobacco
- toys and games

Rooftop Appurtenance: Rooftop appurtenances include, but are not limited to, mechanical equipment, stairwell and elevator shaft housing, antennae, window washing equipment, and wireless communication facilities. See Graphic 1 on page 34.

Secondary Tenant: A small tenant; not the primary tenant of an office building.

Senior Citizen Housing: A residential development for senior citizens (i.e., persons 55 years of age or older) that has at least 35 dwelling units and conforms to Civil Code 51.3(b)(4).

Service Tunnels: A corridor limited to access for building supply and maintenance personnel and equipment including horizontal and vertical tunnels and shafts, and freight elevators, not intended for customer circulation or access, and not for use as storage or office space.

Sign: Any media, including their structure and component parts which are used or intended to be used out-of-doors to communicate information to the public.

Sign Area: The area enclosed by a rectangle drawn around the working, numbers or images composing the sign.

Sign Face: The physical plane and/or surface upon which the working or images are applied.

Sign Letter: The individual symbols of the alphabet used in forming the words of a message.

Shopping Center Identification Sign: A monument sign identifying a shopping center.

Support Uses: Uses within residential developments, offices and hotels, and parking structures designed, oriented, and intended to primarily serve building occupants. This includes uses such as dry cleaners, coffee vendors, and sundry shops. Such uses must be consistent with the pertinent regulations in Table 1.

Tenant Sign: Any permanent sign of an establishment that is located on or attached to the storefront elevation, a covered walkway, or an awning for the purpose of communicating the name of the tenant.

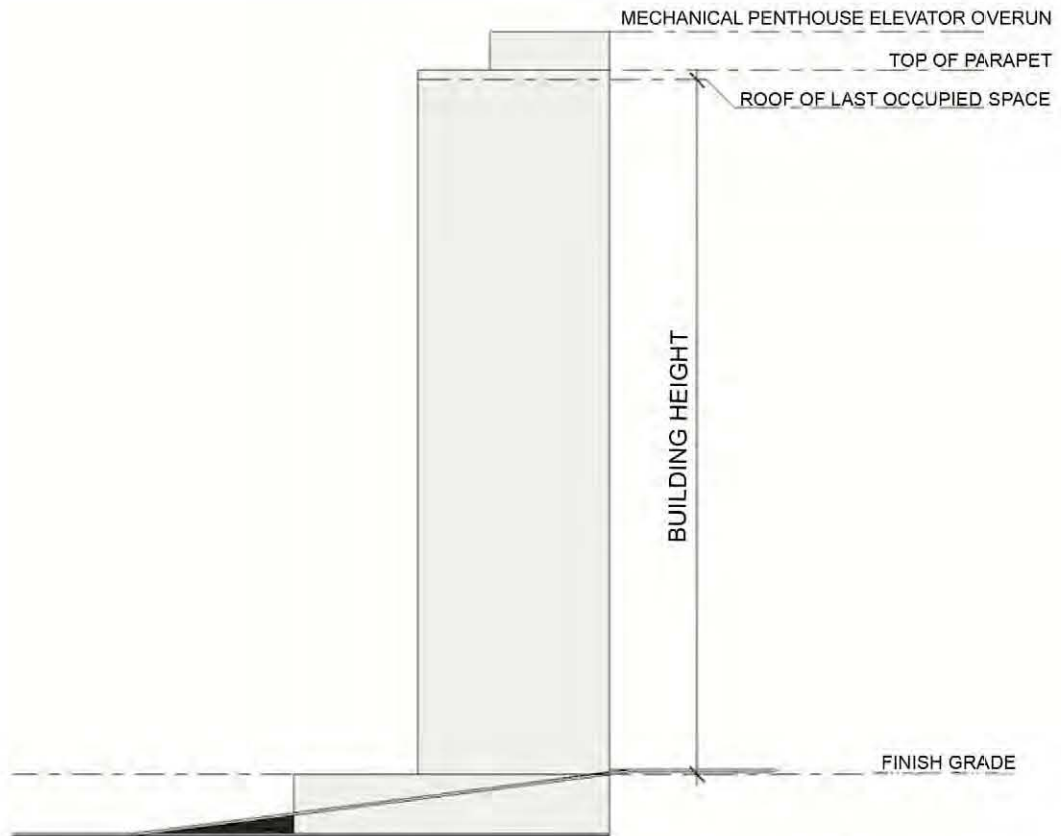
Temporary Sign: Any sign, banner, pennant, valance, or advertising display constructed of cloth, canvas, plywood, light fabric, cardboard, wallboard or other light materials, with or without frames, intended to be displayed for a limited period of time.

Theater Sign: Any permanent sign used to communicate to the public the name of a theater and the show(s) or movie(s) that are offered.

Vehicle Entry: Any intersection points along the public right-of-way that provide access for automobiles.

Visitor Accommodations: Establishments offering lodging rooms, including bed and breakfasts, inns, hotel, and motels. Incidental support facilities are included within these uses.

Wind Sign: A series of similar banners or objects of plastic or other light material more than 2 inches in diameter which are fastened together at intervals by wire, rope, cord, string or by any other means, designed to move and attract attention upon being subjected to pressure by wind or breeze.



NOTE: In no instance shall any part of the building, including rooftop appurtenances or architectural features, penetrate the FAA (Part 77) imaginary obstruction surface for John Wayne Airport.

Graphic 1, Example of Building Height and Rooftop Appurtenances

NORTH NEWPORT CENTER

DESIGN REGULATIONS

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I. Introduction

A. Purpose of Design Regulations

The Design Regulations expand upon the regulations set forth in the Planned Community Development Plan. The Design Regulations are intended to be used for reference by the City of Newport Beach as part of the plan review process. It is recognized that North Newport Center will be built and redeveloped over time and that not all regulations may be achieved nor are applicable for any given project.

All new commercial and residential development shall be subject to the North Newport Center Design Regulations. Review for compliance of projects under this section shall occur through the plan review process, as defined in the Development Plan, prior to building permit issuance.

B. Newport Center Design Framework

Newport Center is a 600-acre master planned area. Development within Newport Center began in the 1960s and generally has followed the following guiding principles:

1. Strong physical urban design framework which provides structure and character yet allows flexibility
2. Synergistic mix of land uses, market driven to insure economic vitality
3. Balanced and dispersed auto access
4. Organized in “blocks” and districts to break down scale and provide identity
5. Pedestrian Orientation
6. Building massing that responds to topography, with taller buildings located along San Joaquin Hills Road
7. Unifying architectural and landscape character



Aerial view of bluff (circa 1960)

Early Newport Center Planning Diagrams and Sketches (circa 1960)



The design regulations provide standards that govern future development so that, to the extent feasible, the initial design framework is carried forward and the design and development policies from the Land Use Element of the General Plan are implemented.

General Plan Policies

Newport Center

The following policies from the Land Use Element are for Newport Center as a whole. Development within North Newport Center should contribute toward the policies whenever possible.

- *Development Scale:* Reinforce the original design concept for Newport Center by concentrating the greatest building mass and height in the northeasterly section along San Joaquin Hills Road, where the natural topography is highest and progressively scaling down building mass and height to follow the lower elevations toward the southwesterly edge along East Coast Highway.
- *Urban Form:* Encourage that some new development be located and designed to orient to the inner side of Newport Center Drive, establishing physical and visual continuity that diminishes the dominance of surface parking lots and encourages pedestrian activity.
- *Pedestrian Connectivity and Amenity:* Encourage that pedestrian access and uses within the district be improved with additional walkways and streetscape amenities concurrent with the development of expanded and new uses.
- *Fashion Island Architecture and Streetscape:* Encourage that new development in Fashion Island complement and be of equivalent or higher design quality than existing buildings. Reinforce the existing promenades by encouraging retail expansion that enhances the storefront visibility to the promenades and provides an enjoyable retail and pedestrian experience. Additionally, new buildings shall be located on axes connecting Newport Center Drive with existing building to provide visual and physical connectivity with adjoining uses, where practical.

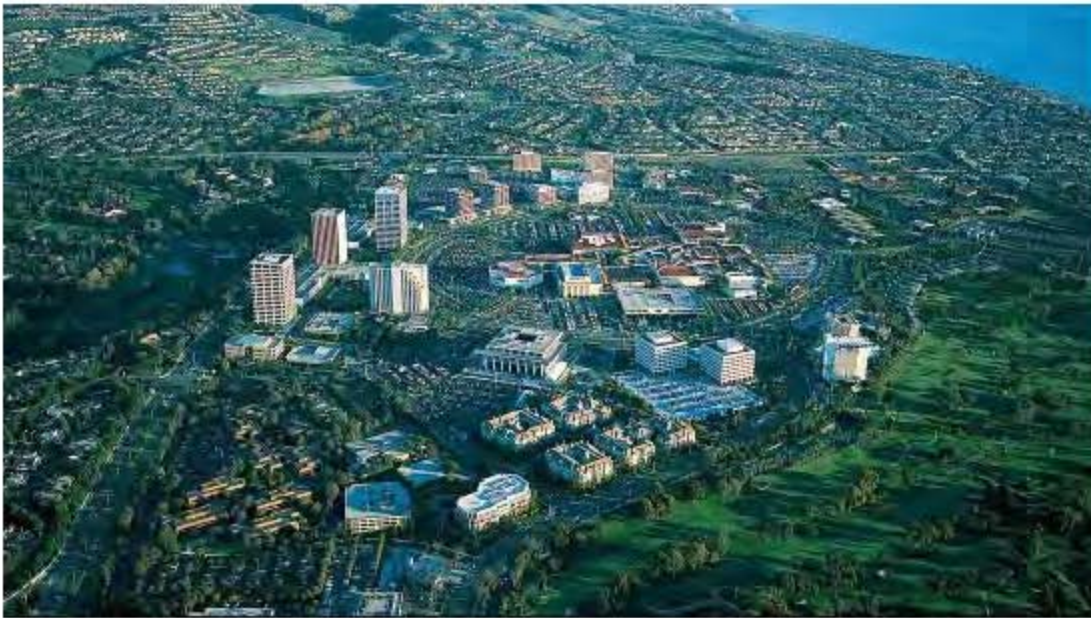
Mixed-Use District and Neighborhood

The following policies from the Land Use Element are City-wide in orientation. Development within North Newport Center should contribute toward the policies whenever possible.

- *Mixed-Use Buildings:* Require that Mixed-Use buildings be designed to convey a high level of architectural and landscape quality and ensure compatibility among their uses in consideration of the following principles:
 - Design and incorporation of building materials and features to avoid conflicts among uses, such as noise, vibration, lighting, odors, and similar impacts
 - Visual and physical integration of residential and non-residential uses
 - Architectural treatment of building elevation and modulation of their massing
 - Separate and well-defined entries for residential units and non-residential businesses
 - Design of parking areas and facilities for architectural consistency and integration among uses
 - Incorporation of extensive landscape appropriate to its location; urbanized streetscapes, for example, would require less landscape along the street

frontages but integrate landscape into interior courtyards and common open spaces

- *Mixed-Use Building Location and Size of Non-Residential Uses:* Require that 100 percent of the ground floor street frontage of Mixed-Use buildings be occupied by retail and other compatible non-residential uses, unless specified otherwise by policies for a district or corridor.
- *Parcels Integrating Residential and Non-Residential Uses:* Require that properties developed with a mix of residential and non-residential uses be designed to achieve high levels of architectural quality in accordance with policies related to the character and quality of multi-family residential and the architecture and site design of commercial districts, be planned to assure compatibility among the uses, and provide adequate circulation and parking. Residential uses should be seamlessly integrated with non-residential uses through architecture, pedestrian walkways, and landscape. They should not be completely isolated by walls or other design elements.
- *Districts Integrating Residential and Non-Residential Uses:* Require that sufficient acreage be developed for an individual use located in a district containing a mix of residential and non-residential uses to prevent fragmentation and assure each use's viability, quality, and compatibility with adjoining uses.



Aerial of Newport Center – 2007

C. North Newport Center

North Newport Center consists of properties on the higher elevations of Newport Center between San Joaquin Hills Road and the Newport Center ring road (Blocks 400, 500, 600 and 800 and San Joaquin Plaza), as well as the core of Newport Center, Fashion Island, and Block 100.

To the northeast is San Joaquin Hills Road, a wide boulevard on the ridge that forms the upper edge of Newport Center. To the south and southeast are office buildings, movie theaters, restaurants, service retail, the Newport Transportation Center, the Newport Beach Central Library, and Corona del Mar Plaza, a community retail center. Adjacent uses within Newport Center are office buildings, an apartment community, a resort hotel, art museum, police station, fire station, auto dealership, service station, and the Newport Beach County Club.

North Newport Center is a mixed-use district that features an open-air regional shopping center, Fashion Island; a resort hotel; and a variety of office buildings that help form the skyline of Newport Beach; connected by a network of tree-lined streets and sidewalks, within a master planned environment featuring a consistent landscape.

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II. Design Regulations

Using these Regulations

These regulations are intended to be used in conjunction with other applicable codes, documents, and ordinances to assess compliance of proposed projects. Each category of regulations begins with the intent, which describes the overall character that is envisioned and what objectives are necessary to attain the desired effect.

A. Building Location and Massing

Intent

The intent of the building massing and location standards is to ensure that new development has an appropriate scale, is related to its use and location, and is properly integrated with adjoining land uses and features.

1. Site Planning Elements

- a. New commercial and residential buildings should respect the existing urban form, which generally consists of buildings that are organized orthogonally to create pedestrian-friendly courtyards and promenades that visually link the buildings into clusters, as seen in the diagrams below.



Pedestrian promenade at
Fashion Island



Pedestrian courtyard at
550 Newport Center Drive



Building interface at
San Joaquin Plaza

- b. In Mixed-Use sub-areas, the development of a complex of buildings is preferable to a single large structure because the varied massing provides visual interest and a human scale. Additionally, the spaces created between the various buildings provide opportunities for pedestrian plazas, courtyards and other outdoor gathering areas.
- c. New buildings should be oriented to and have features which reinforce and enhance the existing pedestrian experience. Mixed-Use sub-areas should emphasize pedestrian orientation by utilizing features such as plazas, courtyards, interior walkways, trellises, seating, fountains and other similar elements.
- d. New retail buildings should be located to enhance tenant visibility and identity, while maintaining compatible relationships with adjacent structures and street frontages.
- e. New buildings should be arranged to provide convenient access to entrances and efficient on-site circulation for vehicles and pedestrians. Projects should develop a comprehensive open space network that uses plazas and other open space elements to connect uses. Open space areas and the paths that link them should facilitate the integration of adjacent land uses on the site.
- f. New buildings with a strong street presence are encouraged in Fashion Island.
- g. Residential development shall provide common outdoor open space areas for residents. These areas should be configured and designed so as to address privacy for residential uses while also providing linkages to the public open space components of the project.
- h. Planning and developing shared facilities such as driveways, parking areas, pedestrian plazas and walkways, with adjoining properties, including those outside of the North Newport Center Development Plan, is strongly encouraged.



Example of resident open space



Example of office courtyard

2. Building Envelope

- a. New buildings should respect the existing development scale, which generally consists of high-rise buildings (10+ stories) clustered along the northerly section at the highest point in Newport Center. Mid-rise office buildings (5-10 stories), low-rise office buildings, and retail development are generally located at lower elevations towards Pacific Coast Highway.

3. Building Character and Style

- a. The character and style of new buildings located in Fashion Island should be compatible with the classically inspired architecture of the existing buildings in Fashion Island. The character and style of new commercial and residential buildings located in the mixed-use sub-areas should be compatible with the existing contemporary architecture or the classically inspired architecture of the existing buildings.
- b. New buildings within Fashion Island should continue and enhance the existing pedestrian experience by promoting storefront visibility.
- c. New buildings should reflect a timeless architecture with straightforward geometry, a unified composition, the expression of floor levels and structure, and solid parapets. Trendy, short-lived, idiosyncratic architectural styles are not appropriate; although retail storefronts may reflect the design theme of the merchant.
- d. The top of all roof-mounted equipment and communications devices should be below the building parapet or equipment screens in a manner that hides them from the street. The height of rooftop appurtenances shall not exceed the height of the screening.
- e. Ground level equipment, refuse collection areas, storage tanks and infrastructure equipment should be screened from public right-of-ways views with dense landscaping and/or walls of materials and finishes compatible with adjacent buildings.
- f. Above grade equipment, including backflow preventers at domestic water meters, irrigation controllers, and cable television pedestals should not be visible from public right-of-ways, when feasible.
- g. Chain link fencing is not allowed, except to screen construction areas.
- h. Avoid long, continuous blank walls, by incorporating a variety of materials and design treatments and/or modulating and articulating elevations to promote visual interest.
- i. Architectural features should accomplish the architectural goal of extending the design elements of the building.
- j. New buildings on sites with sloping surfaces should be encouraged to utilize the existing terrain. Entrances to motor courts and parking structures are not included in the measurement of building height.



Example of appropriate high-rise architecture



Example of straight forward geometry and expression of floor levels



Examples of classically inspired architecture



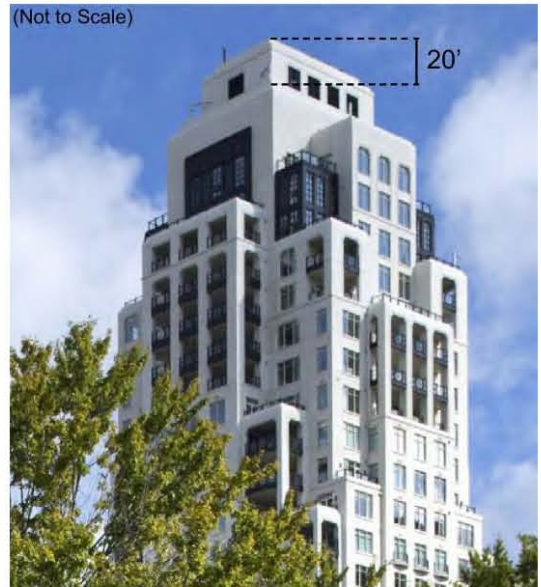
Example of appropriate low-rise form



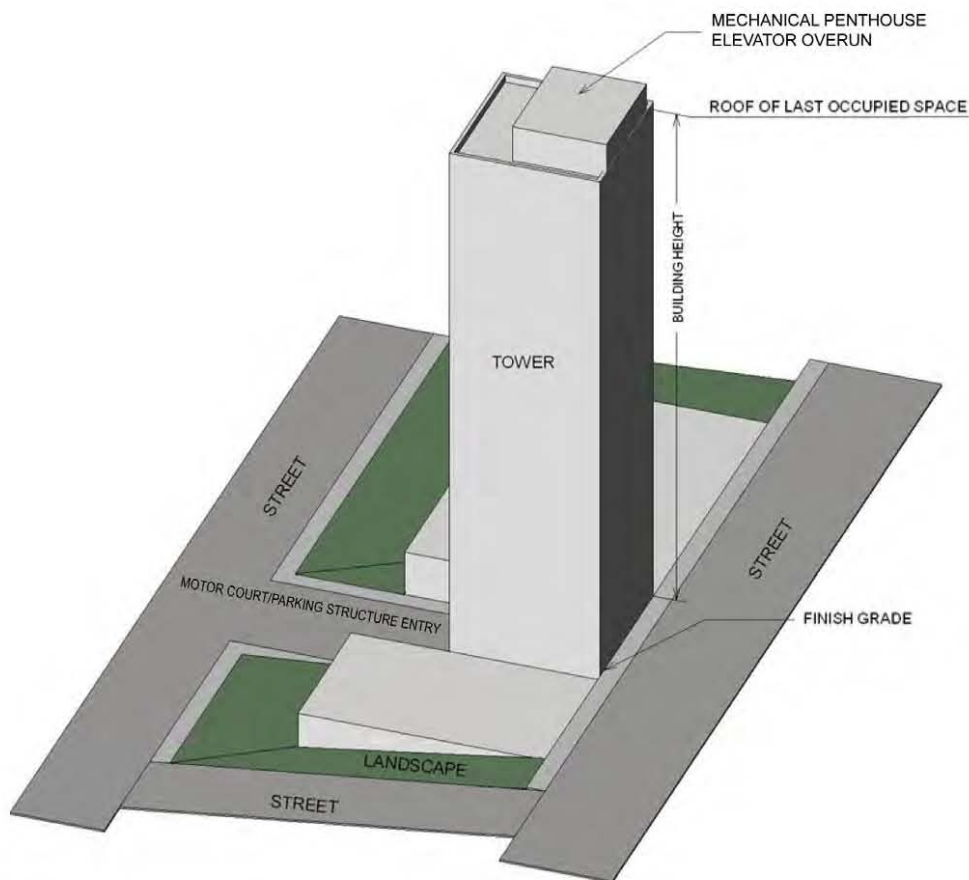
Example of retail storefront visibility to pedestrians



Example of architectural feature



Example of architectural feature



Example of building height measurement on sloping terrain

4. Building Materials and Colors

- a. Colors, materials, and finishes should be coordinated on all exterior elevations to achieve continuity of design. Stripes and patterns are not appropriate; although retail storefronts may reflect the design theme of the merchant.
- b. Clay tile, concrete tile, metal, and fabric are acceptable materials for low- and mid-rise roofs.
- c. Stone, metal, exterior plaster, exterior insulated finishing systems (EIFS), brick, concrete, wood, and glass are acceptable materials for building walls.
- d. Stone, metal, exterior plaster, exterior insulated finishing systems (EIFS), brick, concrete, wood, and glass are acceptable materials for railings.
- e. Service door and mechanical screen colors should be the same as, or compatible to, the adjacent wall colors.



Example of appropriate retail finishes



Example of appropriate low-rise finishes

5. Parking Structures

- a. The architecture of new parking structures should be compatible, complementary, and secondary to principal buildings.
- b. The design of new parking structures in Fashion Island shall incorporate elements (including landscaping) to soften their visual impact.
- c. New parking structures in Fashion Island shall be located and designed in a manner that is compatible with the existing pedestrian scale and open feeling of Newport Center Drive.
- d. Simple, regular forms are encouraged.
- e. Views of parked vehicles should be screened.
- f. The visual appearance of sloping floors should be minimized.
- g. Interiors should be designed to promote a safe vehicular and pedestrian experience.

- h. Vehicular entries for non-residential parking structures should be obvious and inviting.
- i. Vehicular entries to exclusively residential structures should be incorporated into the structure so as to minimize the street presence of the parking structure entrance and to avoid interrupting the continuity of the street facing building elevations.



Block 600 parking structure demonstrating rectangular form and vines to soften visual impact



West parking structure at Fashion Island demonstrating rectangular form and varied landscape to soften visual impact

B. Landscape

Intent

The intent of the landscape standards is to ensure that new commercial and residential development preserves and enhances the existing landscape character of North Newport Center.

1. Overall Landscape

- a. New development should promote an evergreen plant palette that is appropriate in the Mediterranean climate of Southern California. Plant materials should be of a native or drought-tolerant species where appropriate and provide variety, while being consistent with the existing landscape pattern and architectural design of the building.
- b. Landscape and site design will incorporate Best Management Practices (BMPs) to address low-flow runoff and storm water runoff. Landscaped areas within the project will be provided and used to treat runoff from impervious surfaces and roof drains prior to being discharged into the storm drain system.
- c. The landscape palette should consist of two distinct groups of plant materials:
 - Accent planting, including palms, cypress, and color accents
 - Background planting, including evergreen canopy trees and shrubs
- d. The overall landscape should be dominated by background planting with accent planting in key areas corresponding to the land use and development intensity.

- e. Planting should be organized in layers of plant size and variety such as flowering, cascading, or climbing plants. Contrasts in color and texture should be used to enhance the layering of plants.



Example of appropriate landscape variety complementing the building form



Example of layering principles



Example of vertical and horizontal plant forms

2. Perimeter and Street Landscape

- a. The landscape on the perimeter of sub-areas and along streets of new commercial and residential development should complement the street tree pattern, enhance the pedestrian experience, screen parked vehicles, and soften the view of parking structures.
- b. Existing trees along public streets should be preserved, and new trees should be installed to fill in gaps.
- c. Evergreen hedges should be used to screen the lower portions of parked cars.
- d. Evergreen planting should be used to screen parking structures.



Newport Center Drive landscape variety



San Nicolas landscape showing screening of parked cars



San Joaquin Hills Road landscape



Landscape adjacent to 888 San Clemente parking structure

3. Parking Lot Landscape

- a. New surface parking lots should have evergreen canopy trees to provide shade.
- b. A uniform evergreen tree type should be used for parking lot fields, with a different uniform evergreen tree type used to highlight the major parking aisles.
- c. Evergreen hedges should be used to screen parked cars.



Fashion Island parking lot tree placement



San Joaquin Plaza evergreen hedges that screen parked cars

4. Internal Landscape

- a. New courtyards and promenades should continue the existing pedestrian experience by promoting visual continuity, shade and an evergreen landscape.
- b. Trees should be installed to shade appropriate walkways and cause an interesting and varied pedestrian experience.



Example of trees adding variety to pedestrian experience



Example of landscaping creating strong visual continuity

C. Circulation

Intent

The intent of the circulation criteria is to ensure that new commercial and residential development enhances existing circulation patterns by maintaining existing, upgrading existing and providing new street and walkway connections.

1. Streets and Pedestrian Activity

- a. New development should preserve and enhance the existing attractive street scene, promote safe and convenient driving practices, and encourage street level pedestrian activity.

- b. All buildings should be publicly accessible via a path or walkway from a public sidewalk.
- c. The crescent walk linking Block 400, Block 500 and Block 600 along Newport Center Drive and pedestrian connections to/in Fashion Island should be preserved and enhanced where feasible. Connections from the crescent walk into courtyards, plazas, and other gathering areas in Block 400, Block 500 and Block 600 should be provided where possible.
- d. Each sub-area should demonstrate an internal pedestrian network of walks and paseos that connect to the larger Newport Center pedestrian system.
- e. Strong pedestrian connectivity, reinforced by protected walkways and landscaping, should occur between Newport Center Drive and the retail core of Fashion Island.
- f. Amenities such as benches, plazas and other pedestrian-oriented facilities should be provided at pedestrian destinations.
- g. To promote the vitality of the public street scene, pedestrian bridges and tunnels which remove pedestrians from the street level are not allowed.
- h. New benches, street trees, directional signs, trash receptacles, and exterior lighting are encouraged in the public right-of-ways to reinforce pedestrian activity.
- i. Enhanced paving in crosswalks to highlight pedestrian pathways is allowed if it is compatible with the character of the existing development.



Pedestrian walkway from Newport Center Drive to Fashion Island



Example of pedestrian amenities



Example of pedestrian connectivity to the street (between 500 and 550 Newport Center Drive)



Example of the crescent walk design framework



Pedestrian amenities in Fashion Island



Example of pedestrian oriented enhancement



Pedestrian amenity in Fashion Island



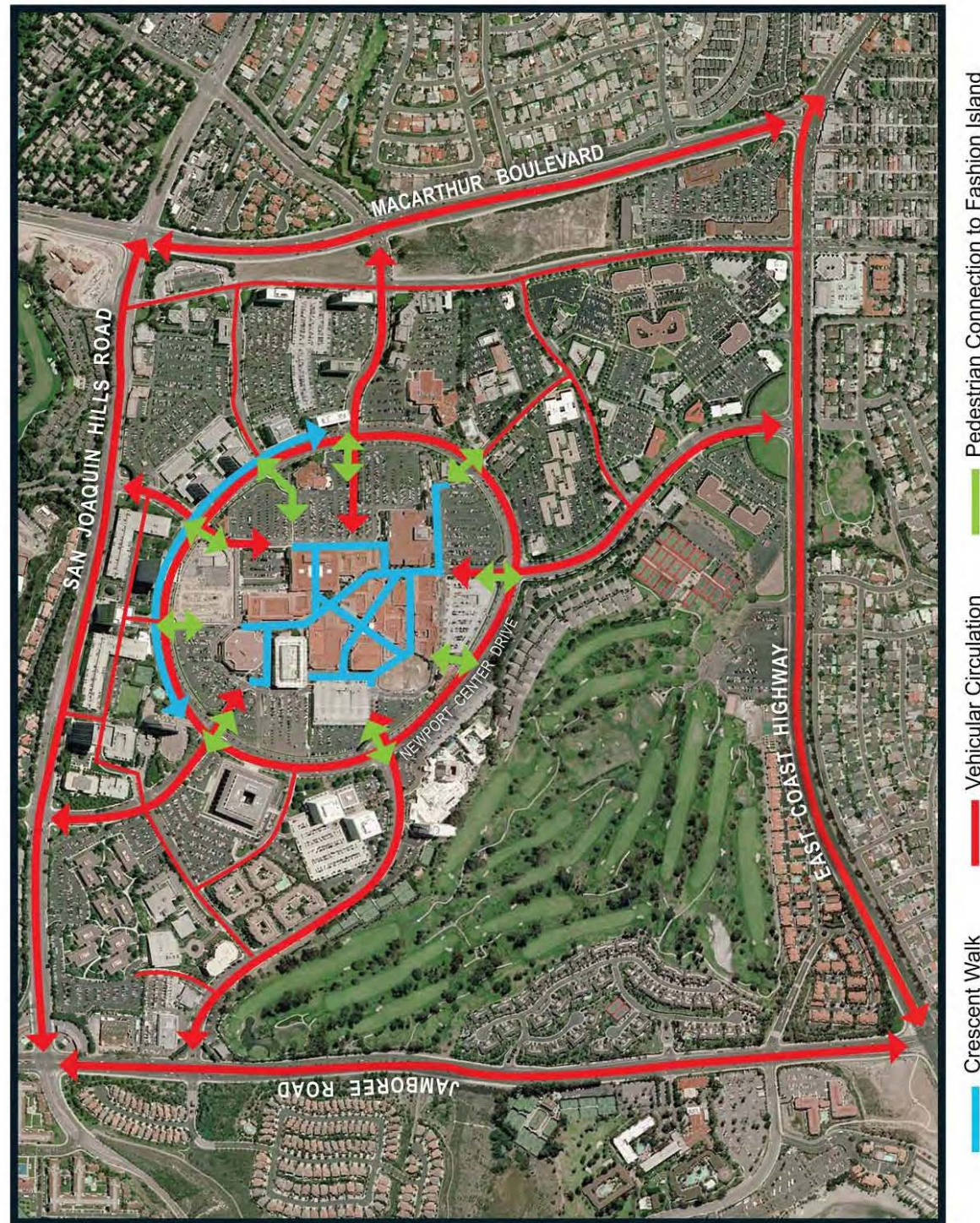
Storefront interface with pedestrians



Example of a strong pedestrian pathway



Fashion Island paseo



2. Service and Emergency

- a. New commercial and residential development should promote efficient circulation for service and emergency vehicles.
- b. Major loading docks should be located away from front doors and from residential areas to separate service traffic from other traffic.
- c. Loading bays should be designed to minimize their visual prominence and any interference with pedestrian and vehicular flows.
- d. Turf-block may be used in landscape areas where fire access is necessary.
- e. Truncated domes should be a contrasting color, other than yellow, and should be coordinated with the paving material unless otherwise required by federal or state standards.



Fashion Island loading dock



Fashion Island loading dock

3. Parking Lots

- a. Parking areas should not create a separation between adjacent land uses and buildings.
- b. Parking lots at new development should promote efficient circulation for vehicles and pedestrians.
- c. Convenient, well marked and attractive pedestrian access should be provided from parking lots to buildings.
- d. The use of permeable surfaces is encouraged.



Pedestrian entrance from surface parking at 680 Newport Center Drive demonstrating flow from parking to building



Well-defined pedestrian walkway in 500/550 Newport Center Drive parking lot



Well-defined walkway from Newport Center Drive into Fashion Island at San Nicolas

D. Orientation and Identity

Intent

The intent of the standards for orientation, identity, and safety is to ensure that new commercial and residential development promotes wayfinding for residents and visitors, strengthens North Newport Center's sense of place, and produces a safe environment.

1. Gateways and Entrances

- a. New development should respect existing entries and, if entry modifications are required, should integrate with the existing vehicular and pedestrian circulation system.
- b. Key landscape elements at the “landscape corners” should be retained.



San Joaquin Hills Road and Jamboree Road



San Joaquin Hills Road and MacArthur



San Joaquin Hills Road and Santa Cruz



San Joaquin Hills Road and Santa Cruz

2. View Corridors

- a. New development should preserve views of major retail tenants in Fashion Island from Newport Center Drive.
- b. New development should capture views of the ocean from windows and decks at new restaurants, offices, and residences, where feasible.



Fashion Island major tenant visibility



Fashion Island major tenant visibility



Balconies at 888 San Clemente featuring ocean views

3. Landmarks

- a. As appropriate, major new development may be positioned and designed to serve as a landmark within North Newport Center.
- b. Landmark elements may be included in building design to distinguish individual buildings and enhance wayfinding.



The Island Hotel as a landmark building



Wind chime as a landmark at Macy's



Palms as a landmark at the southern entry into Fashion Island

4. Signage

- a. New development should have signs that promote identity and wayfinding.
- b. Signs should be designed to clearly communicate their messages.
- c. Signs should be designed to complement the architecture and landscape.
- d. Identification signs should be designed to convey the image of the project or business.
- e. Wayfinding signs should be unified within each sub-area.
- f. Simplicity and legibility are encouraged.
- g. Ample blank space around sign copy is encouraged.
- h. Animated signs visible from public streets are not allowed unless otherwise permitted by the Municipal Code.
- i. Signs may be internally-illuminated, halo-illuminated, externally illuminated, or non-illuminated.
- j. Sign types A-K and their corresponding locations are shown on the following pages.



Project identification sign



Business identification sign



Directional sign



Temporary signs mounted on construction fence

Sign A – Large Cube or Blade Sign



Sign A1

Sign: 13'-0" high; 12'-2" wide
Letters: 15 inches high max.



Sign A2

Sign: 11'-0" high; 12'-2" wide
Letters: 15 inches high max.
Symbol: 22 inches high



Sign A3

Sign: 11'-0" high; 12'-2" wide
Letters: 15 inches high max.
Symbol: 22 inches high



Sign A4

Sign: 11'-0" high; 12'-2" wide
Letters: 15 inches high max.
Symbol: 22 inches high



Sign A5

Sign: 11'-0" high; 12'-2" wide
Letters: 15 inches high max.
Symbol: 22 inches high



Sign A6

Sign: 13'-0" high; 12'-2" wide
Letters: 15 inches high max. (est)

Existing Signs
Block 100, 400, 500, 600, 800; and San Joaquin Plaza
North Newport Center

Sign B – Small Cube



Sign B1

Sign: 5'-0" high; 5'-0" wide
Letters: 9 inches high



Sign B2

Sign: 5'-0" high; 5'-0" wide
Letters: 5 inches high max.
Numerals: 24 inches high max.



Sign B3

Sign: 5'-0" high; 5'-0" wide
Letters: 5 inches high max.
Numerals: 24 inches high max.



Sign B4

Sign: 5'-0" high; 5'-0" wide
Letters: 5 inches high max.
Numerals: 24 inches high max.



Sign B5

Sign: 5'-0" high; 5'-0" wide
Letters: 5 inches high max.
Numerals: 24 inches high max.



Sign B6

Sign: 5'-0" high; 5'-0" wide
Letters: 5 inches high max.
Numerals: 24 inches high max.



Sign B7

Sign: 5'-0" high; 5'-0" wide
Letters: 5 inches high max.
Numerals: 24 inches high max.



Sign B8

Sign: 5'-0" high; 5'-0" wide
Letters: 5 inches high max.
Numerals: 24 inches high max.

Existing Signs
Block 100, 400, 500, 600, 800; and San Joaquin Plaza
North Newport Center

Sign C - Freestanding Signs



Sign C7
Sign: 5'-3" high; 11'-0" wide
Letters: 11 inches high



Sign C8
Sign: 6'-10" high; 6'-0" wide
Letters: 5 inches high max.
Numerals: 11 inches high max.



Sign C9
Sign: 6'-2" high; 20'-6" wide
Letters: 17 inches high max.



Sign C12
Sign: 4'-4" high; 9'-6" wide
Letters: 10 inches high max.



Sign C13
Sign: 4'-4" high; 9'-6" wide
Letters: 10 inches high max.



Sign C14
Sign: 9' high; 4'-9" wide
Letters: 6 inches high max



Sign C1
Sign: 6'-6" high; 15'-4" wide
Letters: 13 inches high max.
Symbol: 18 inches high



Sign C3
Sign: 4'-2" high; 7'-0" wide
Letters: 4 inches high max.



Sign C5
Sign: 4'-9" high; 12'-0" wide
Letters: 12 inches high



Sign C10
Sign: 4'-2" high; 5'-0" wide
Letters: 6 inches high max.
Symbol: 13 inches high max.



Sign C15
Sign: 9' high; 4'-9" wide
Letters: 6 inches high max



Sign C2
Sign: 4'-4" high; 9'-3" wide
Letters: 11 inches high max.



Sign C4
Sign: 5'-3" high; 11'-0" wide
Letters: 11 inches high



Sign C6
Sign: 5'-3" high; 11'-0" wide
Letters: 11 inches high

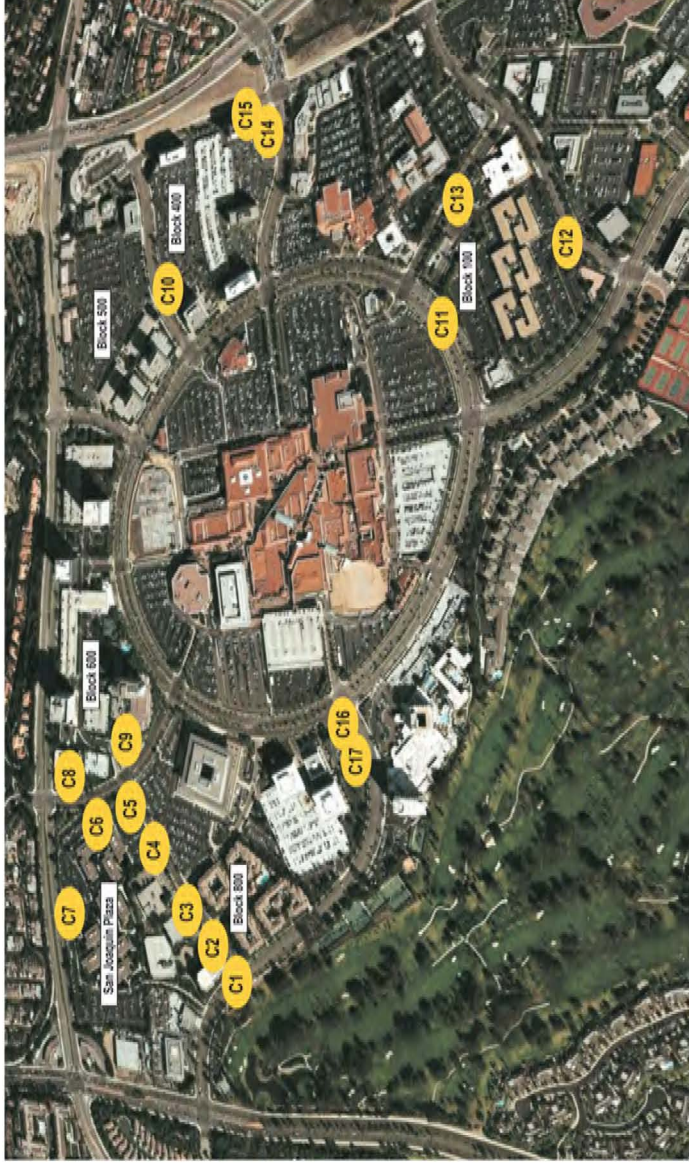


Sign C11
Sign: 4'-4" high; 9'-6" wide
Letters: 10 inches high max.



Sign C16
Sign: 5' high; 25' wide
Letters: 14 inches high max.
Symbol: 24 inches high max.

Sign C - Freestanding Signs (continued)



Sign C17

Sign: 3'-5" high; 5' wide

Letters: 20 inches high max

Existing Signs
Block 100, 400, 500, 600, 800; and
San Joaquin Plaza
North Newport Center

Sign D – Landscape Walls



Sign D1

Letters: 37 inches high max.



Sign D2

Letters: 35 inches high max.



Sign D3

Letters: 35 inches high max.



Sign D4

Letters: 15 inches high max.



Sign D5 location



Sign D6 location



Sign D7 location



Sign D8

Letters: 15 inches high max.



Sign D9 location



Sign D12

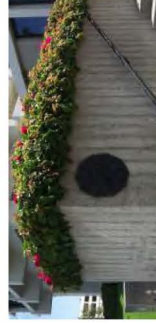
Letters: 11 inches high

Numerals: 12 inches high



Sign D13

Letters: 40 inches high



Sign D10

Symbol: 17 inches high



Sign D11

Letters: 18 inches high max.

Symbol: 26 inches high

Existing Signs
Block 100, 400, 500, 600, 800; and San Joaquin Plaza
North Newport Center

Sign E – Building Sign



Sign E*
Sign: Mounted directly on building face
Letters: 24 inches – primary tenant
16 inches – secondary tenant



Sign E*
Sign: Sign on Awning at entrance to restaurant
Letters: 36 inches high



Sign F – Building Address



Sign F*
Sign: Mounted directly on building face
Letters: 24 inches

* Photographs of sign types E and F provided for reference purposes. A full inventory of those signs is not provided herein.

Sign G – Freestanding Building Address



Existing Signs
Block 100, 400, 500, 600, 800; and San Joaquin Plaza
North Newport Center



Sign G1
Sign:
Letters:
Numerals

8'-0" high; 6'-0" wide
5 inches high max.
28 inches high



Sign G2
Sign:
Letters:
Numerals

8'-0" high; 6'-0" wide
5 inches high max.
28 inches high

Sign H – Advisory Signs



Sign H*

Sign: 6 feet high

Sign I – Drive Through Signs



Sign I*

Sign: 8 feet wide

Letters: 15 inches high

* Photographs of sign types H and I provided for reference purposes. A full inventory of these signs is not provided herein.

Sign J – Apartment Leasing Signs



Sign J1
Sign panel: 4'-0" high; 3'-0" wide (est.)
Letters: 6 inches high max. (est.)



Sign J2
Sign panel: 4'-0" high; 3'-0" wide (est.)
Letters: 6 inches high max. (est.)

Existing Signs
Block 100, 400, 500, 600, 800; and San Joaquin Plaza
North Newport Center

Sign K – Office Leasing



Sign K1

Sign: 5'-0" high; 5'-0" wide
Letters: 7 inches high
Numerals: 6.5 inches high



Sign K2

Sign: 5'-0" high; 5'-0" wide
Letters: 7 inches high
Numerals: 6.5 inches high



Sign K3

Sign: 5'-0" high; 5'-0" wide
Letters: 7 inches high
Numerals: 6.5 inches high



Sign K4

Sign: 5'-0" high; 5'-0" wide
Letters: 7 inches high
Numerals: 6.5 inches high



Sign K5

Sign: 5'-0" high; 5'-0" wide
Letters: 7 inches high
Numerals: 6.5 inches high



Sign K6 location



Sign K9

Sign: 5'-0" high; 5'-0" wide
Letters: 7 inches high
Numerals: 6.5 inches high



Sign K8 location



Sign K7

Sign: 5'-0" high; 5'-0" wide
Letters: 7 inches high
Numerals: 6.5 inches high



Sign K11

Sign: 5'-0" high; 5'-0" wide
Letters: 7 inches high
Numerals: 6.5 inches high

[Sign K12 is similar to K11](#)
[Sign K13 is similar to K11](#)

Existing Signs
Block 100, 400, 500, 600, 800; and San Joaquin Plaza
North Newport Center

5. Lighting

- a. The exterior lighting at new commercial and residential development should be compatible with and enhance the existing lighting of the sub-area.
- b. Light fixtures at walkways and parking lots should be coordinated in height, color, and style.
- c. Light fixtures should not cast off-site glare.
- d. Building walls may be illuminated by downlights and uplights; light sources should not be visible from public view.
- e. Tops of buildings may be highlighted with bands of light.
- f. Utilitarian light fixtures, such as floodlights and wallpacks, may only be used in service areas.
- g. Low sodium lighting is not allowed.
- h. ATM lighting shall conform to state code without causing offsite glare, such as through the use of bollards, tree lights, pole lights, and soffit lights, rather than floodlights and wallpacks.
- i. In pedestrian areas such as courtyards, plazas, and walkways, lighting fixtures should be pedestrian scale.



Appropriate light bollard at Block 600



Non-glare producing lights at 888 San Clemente

Attachment No. PC 3

Landscape wall sign example

10-0326

J B 3 D
Architectural Graphics & Branding

731 N. Main Street • Orange, California 92668
714.744.2300 • 714.744.8061 fax • jb3d.com



REVISIONS:

500 & 550 NEWPORT CENTER DR

NEWPORT BEACH, CA

CLIENT
CUESTA CONST.

DATE
10.8.10

CONTACT
KOLIN REESE

JOB #
10-0326

DRAWING TITLE
HEDGE WALL SIGNAGE

SCALE
NTS

DESIGNER
JW

SHEET #
2A.1.0

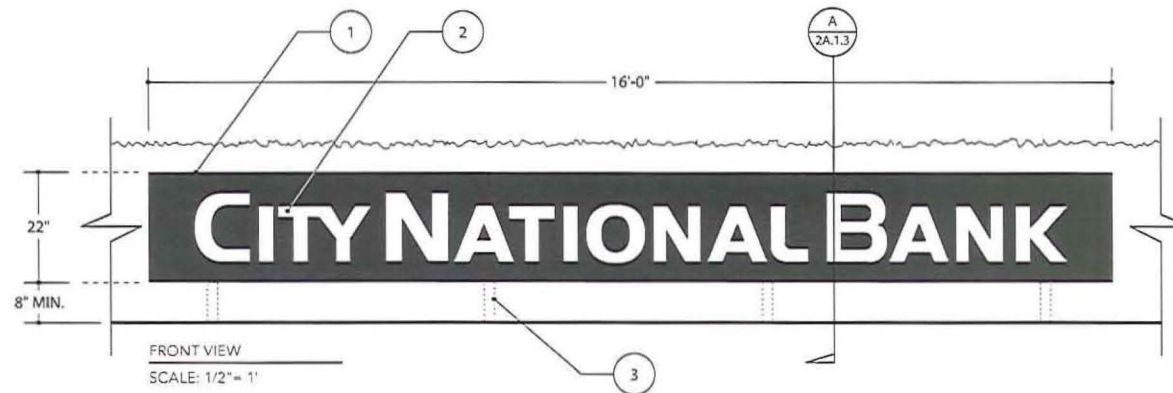
The following drawings, specifications, ideas, designs, and arrangements represented thereby, are and shall remain the property of the designer, and no part thereof shall be copied, disclosed to others or used in connection with any work or project other than the specified project for which they have been prepared and developed without the written consent of the designer. Visual contact with these plans or specifications shall constitute conclusive evidence of acceptance of these restrictions.

PIW/ IRVINE CO/ 450 NEWPORT CENTER DR/ 10-0326 HEDGE WALL SIGNAGE/ OK DWGS/ 500&550 HEDGEWALLSIGNAGE.AI

10-0326

J B 3 D
Architectural Graphics & Branding

731 N. Main Street • Orange, California 92868
714.744.2300 • 714.744.8061 fax • jb3d.com



DESIGN NOTES:

1. 2" DEEP FABRICATED 1/8" ALUMINUM PANEL PAINTED MATTHEWS MP30132 "JET BLACK". ATTACHED TO METAL SIGN FRAME / SUPPORTS AS REQUIRED
2. 1 1/2" DEEP FABRICATED 1/8" ALUMINUM LETTERS PAINTED MATTHEWS MP11477 "NATURAL WHITE".
3. 2"X2" ALUMINUM SUPPORT PAINTED MATTHEWS MP30132 "JET BLACK". SUPPORT LEGS TO BE HIDDEN IN HEDGE & EMBEDDED IN CONCRETE, FOOTINGS AS REQUIRED.

EXISTING HEDGE TO BE REMOVED BY LANDSCAPER AS REQUIRED TO MINIMIZE & PREVENT DAMAGE TO ROOT BALL

JB3D TO MEET LANDSCAPE CONTRACTOR & G.C. ON SITE PRIOR TO FABRICATION TO DETERMINE EXACT PLACEMENT



REVISIONS:

500 & 550 NEWPORT CENTER DR

NEWPORT BEACH, CA

CLIENT
CUESTA CONST.

DATE
10.8.10

CONTACT
KOLIN REESE

JOB #
10-0326

DRAWING TITLE
S2A.1.1 - CITY NATIONAL BANK

SCALE
NOTED

DESIGNER
JW

SHEET #
2A.1.1

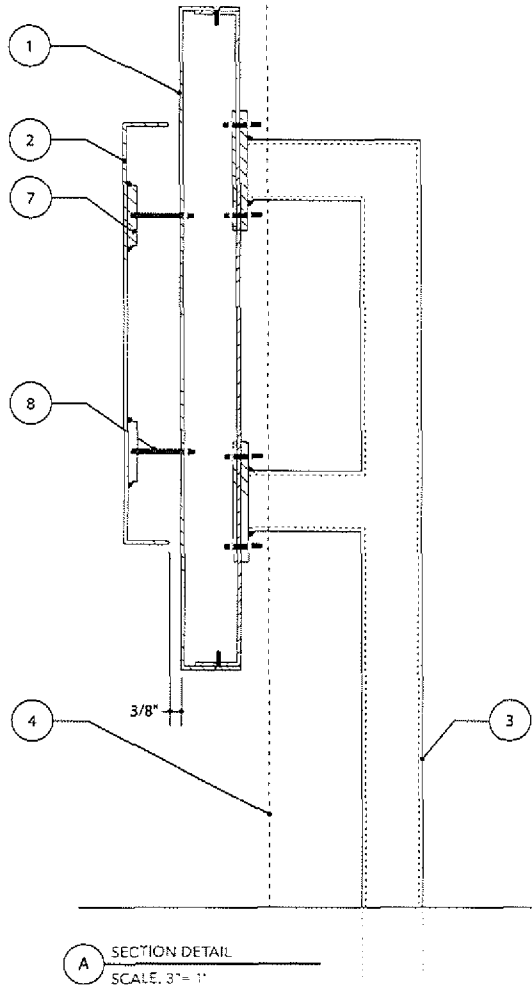
The following drawings, specifications, ideas, designs, and arrangements represented thereby, are and shall remain the property of the designer, and no part thereof shall be copied, disclosed to others or used in connection with any work or project other than the specified project for which they have been prepared and developed without the written consent of the designer. Visual contact with these plans or specifications shall constitute conclusive evidence of acceptance of these restrictions.

10-0326

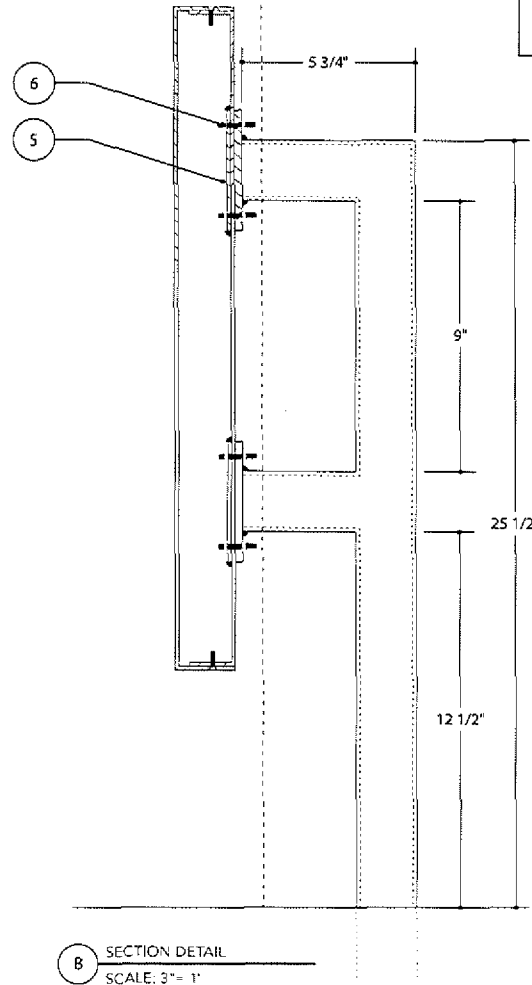
J B 3 D
Architectural Graphics & Branding

731 N. Main Street • Orange, California 92668
714.744.2300 • 714.744.8061 fax • jb3d.com

PIW/ IRVINE CO/ 450 NEWPORT CENTER DR/ 10-0326 HEDGE WALL SIGNAGE/ OK DWGS/ 500&550 HEDGEWALLSIGNAGE.AI



A SECTION DETAIL
SCALE: 3" = 1"



B SECTION DETAIL
SCALE: 3" = 1"

DESIGN NOTES:

1. 2" DEEP FABRICATED ALUMINUM PANEL PAINTED MATTHEWS MP30132 "JET BLACK". ATTACHED TO METAL SIGN FRAME / SUPPORTS AS REQUIRED.
2. 1 1/2" DEEP FABRICATED ALUMINUM LETTERS PAINTED MATTHEWS MP11477 "NATURAL WHITE".
3. 2"X 2" ALUMINUM SUPPORT PAINTED MATTHEWS MP30132 "JET BLACK". SUPPORT LEGS TO BE HIDDEN IN HEDGE & EMBEDDED IN CONCRETE. FOOTINGS AS REQUIRED.
4. EXISTING HEDGE TO BE REMOVED BY LANDSCAPER AS REQUIRED TO MINIMIZE & PREVENT DAMAGE TO ROOT BALL.
5. 1/4" THICK ALUMINUM PLATE FOR MOUNTING, WELDED TO FRAME & PANEL.
6. THROUGH BOLTS FOR ATTACHMENT.
7. 1/4" ALUMINUM BLOCK, AS REQUIRED.
8. 10/24 THREADED STUD, MINIMUM 4 PER LETTER.

REVISIONS:

500 & 550 NEWPORT CENTER DR

NEWPORT BEACH, CA

CLIENT
CUESTA CONST.

DATE
10.8.10

CONTACT
KOLIN REESE

JOB #
10-0326

DRAWING TITLE
CITY NATIONAL BANK

SCALE
NOTED

DESIGNER
JW

SHEET #
2A.1.3

The following drawings, specifications, ideas, designs, and arrangements represented thereby, are and shall remain the property of the designer, and no part thereof shall be copied, disclosed to others or used in connection with any work or project other than the specified project for which they have been prepared and developed without the written consent of the designer. Visual contact with these plans or specifications shall constitute conclusive evidence of acceptance of these restrictions.

2. Mixed-Use Sub-Areas

The Mixed-Use blocks include Block 500, Block 600 and San Joaquin Plaza. Up to 430 residential units and 295 hotel rooms are permitted within the Mixed-Use blocks. Residential and hotel uses are measured on a per unit basis. The gross floor area for all other permitted uses is the total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls, including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms and basement or attic areas having a height of more than seven feet. Excluded are covered porches, walkways and loading docks, service tunnels, and mechanical shafts. Mechanical spaces on roofs, which are inaccessible to tenants, are not counted as square footage. Development limits for residential uses are based on unit counts, and are not within square footage limits. Support uses are not included in the square footage development limits and shall not require parking.

3. Commercial Office Blocks

The maximum development limit for [the commercial office blocks is specified in Table 2 above](#). ~~Block 100 is 121,114 square feet and Block 400 is 91,727 square feet.~~ The gross floor area for all permitted uses is the total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls, including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms and basement or attic areas having a height of more than seven feet. Excluded are covered porches, walkways and loading docks, service tunnels, and mechanical shafts. Mechanical spaces on roofs, which are inaccessible to tenants, are not counted as square footage. Support uses are not included in the square footage development limits and shall not require parking.

4. Block 800 [Residential](#)

The maximum number of dwelling units for multi-family residential use shall not exceed 245.

C. Transfer of Development Rights

The transfer of development rights among sub-areas of this Planned Community and to/from other areas in the Newport Center/Fashion Island District identified in the General Plan is allowed in accordance with the General Plan.

Development rights may be transferred through a change in location of use(s) and/or a conversion of non-residential use to any other non-residential use allowed by the General Plan and this Planned Community Development Plan or applicable zoning at the receiving site(s). Residential use may be relocated, but may not be converted to or from another use.

The transfer of development rights shall be approved, as specified in Section IV.C below, if the transfer will not result in any adverse traffic impacts and will not result in greater intensity than development allowed without the transfer.

North Newport Center

PA2011-017

Planned Community Development Plan Amendment

No. PC2011-001

Code Amendment No. CA2011-004

Planning Commission

Public Hearing

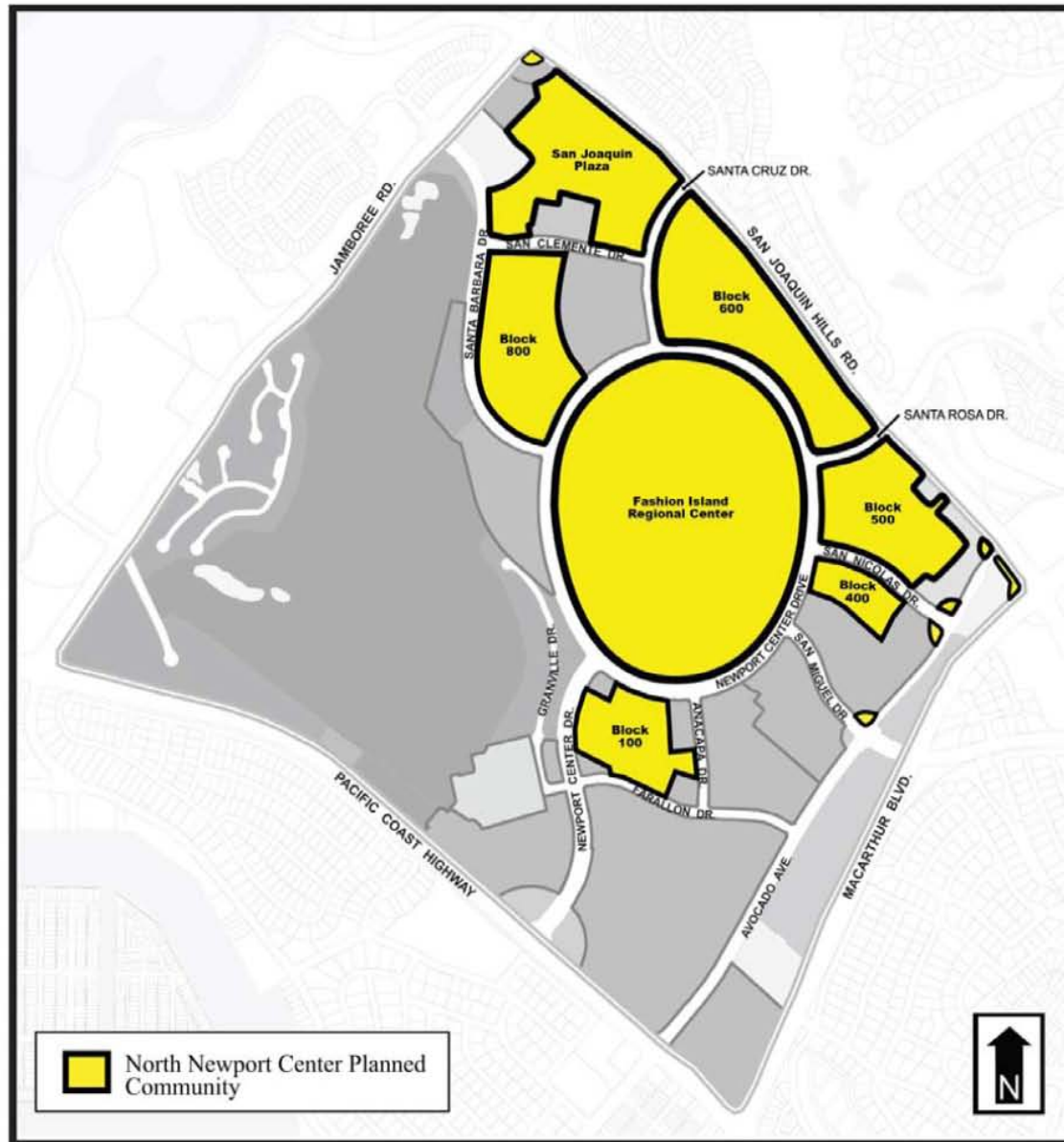
April 7, 2011



Vicinity Map



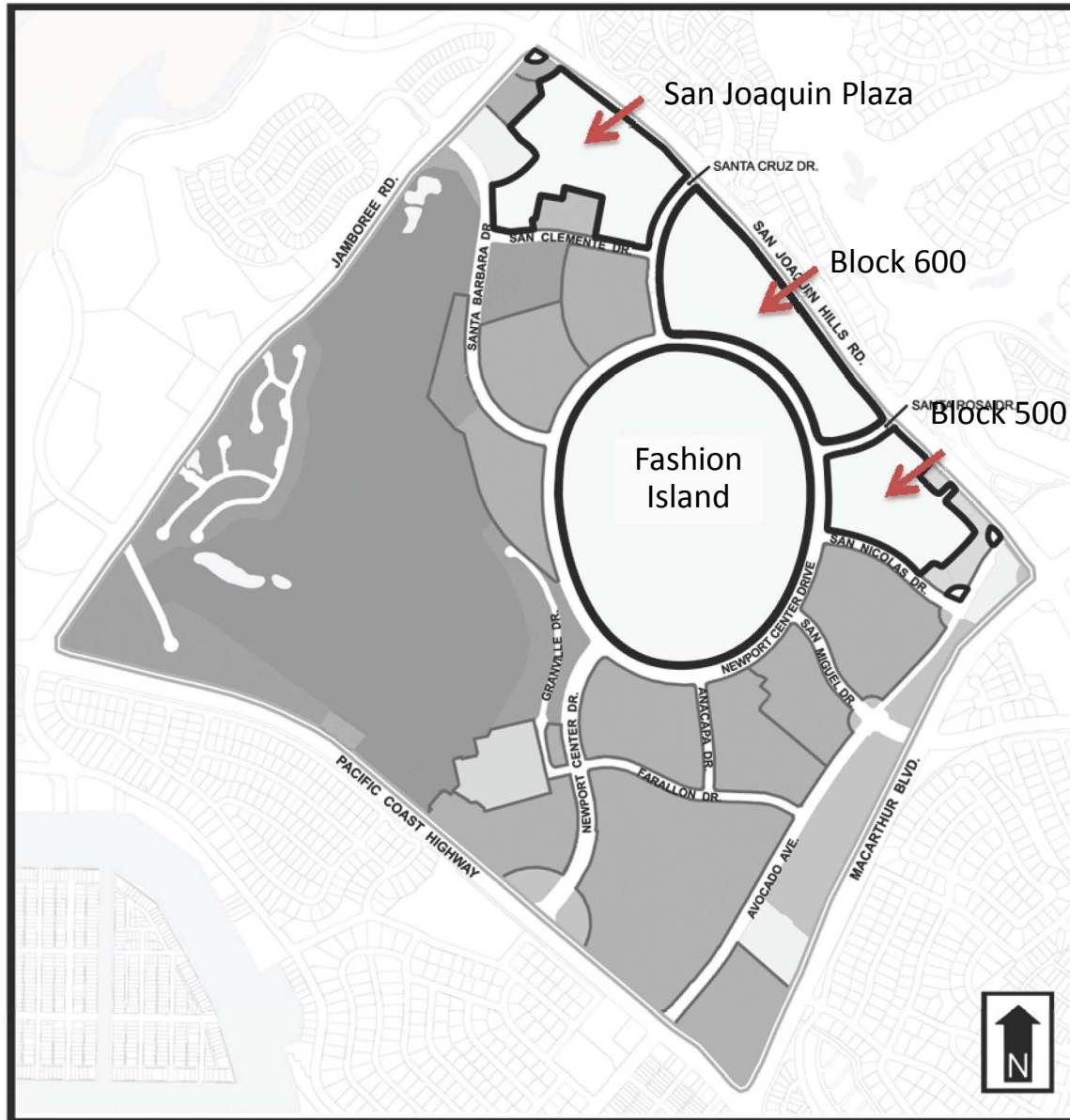
Proposed Planned Community Boundaries



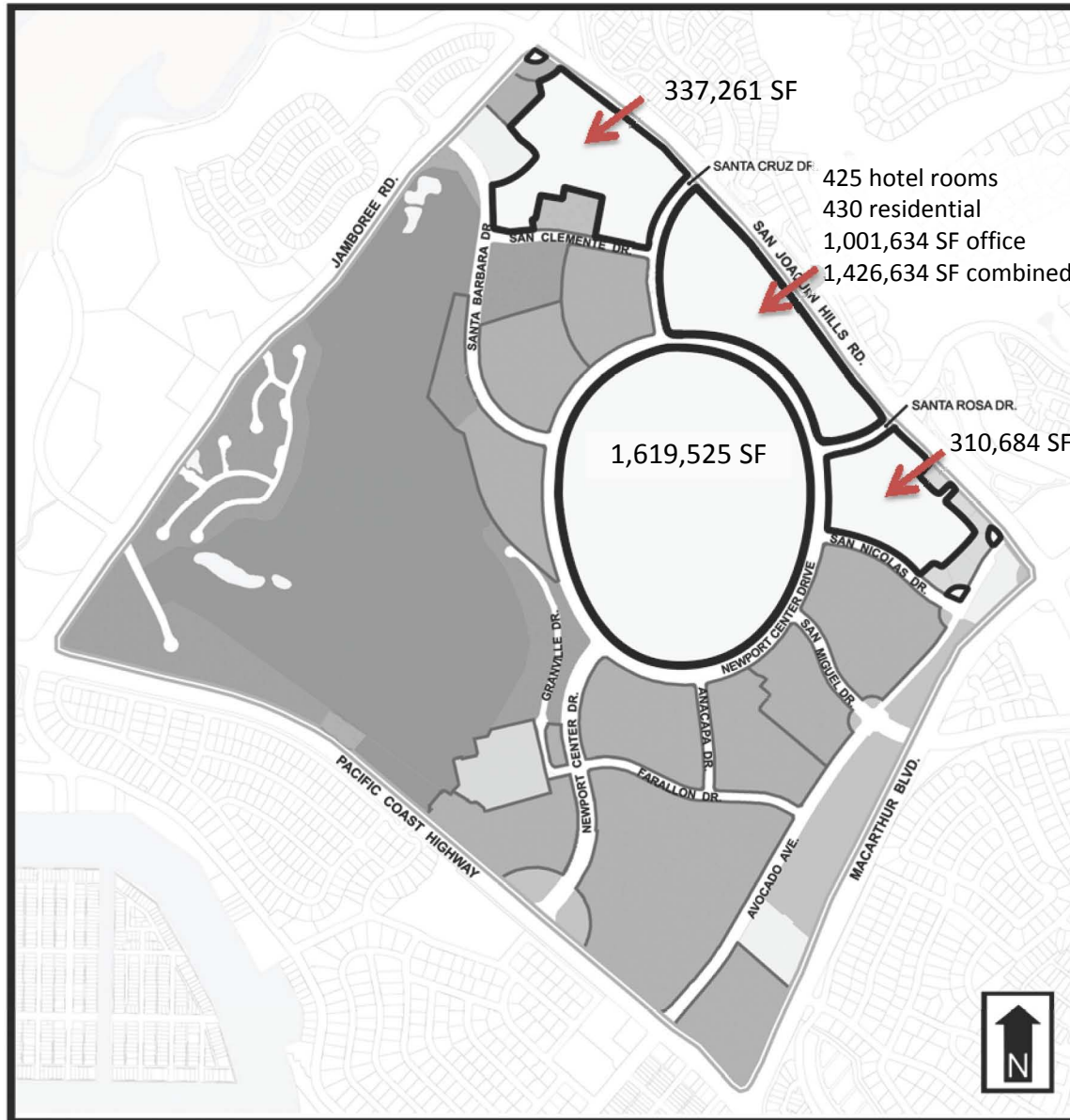
Comparison Table

	Block 800 PC-23	North Newport Center PC-56
Height	125' above pad	125' from finished grade
Setbacks	Per previously approved plan	15' from streets and from residential interior lot line
Maximum Floor Area	286,166 square feet total Restaurants are limited to 13,200 gross square footage and 6,000 square feet of net public area	286,166 square feet total (Restaurants require a Minor Use Permit)
Permitted Uses	Office, ancillary retail, restaurant/bar with Conditional Use Permit, parking lot, car wash	Bank, office, ancillary day care, ancillary retail, ancillary personal services, and the following with a UP/MUP: drive through at bank, public safety facilities, commercial recreation and entertainment, cultural and institutional, day spas, bars and restaurants, visitor accommodations

Adoption of PC-56, December 2007



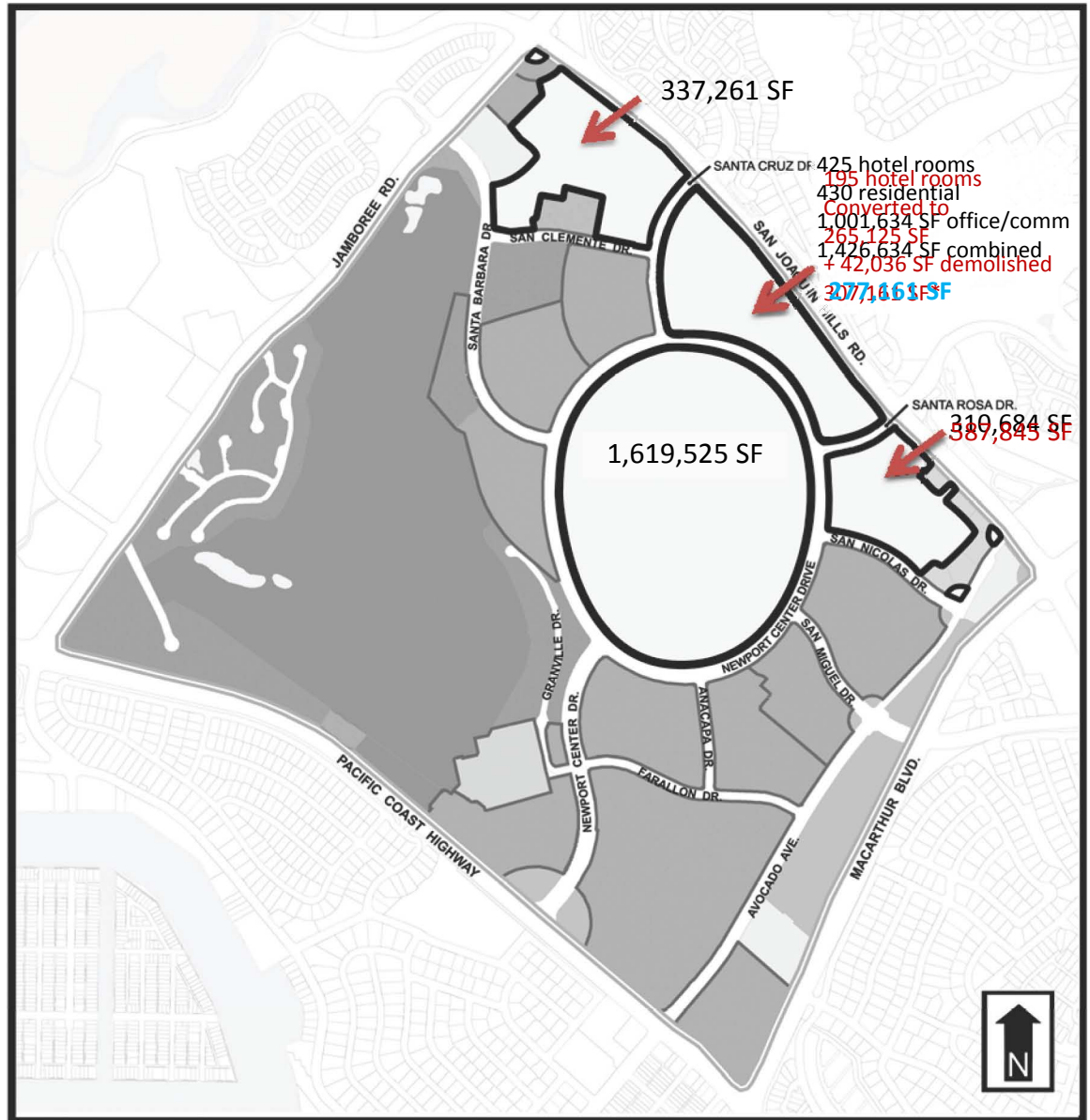
Adoption of PC-56, December 2007



Transfer TD 2008-1

TD 2008-1 Footnote 5: The total square footage to be demolished combined with the converted hotel square footage equals 307,161 SF. However, to comply with the General Plan intensity limits and the policy that a transfer of development rights may not result in adverse traffic impacts, the full 307,161 SF was not transferred to Block 500. A traffic analysis performed for the transfer contemplated a 72,000-SF City Hall and 235,161 SF of general office use. The traffic analysis determined that the transfer of 307,161 SF to Block 500 had the potential to result in adverse traffic impacts. The traffic analysis established that 307,161 SF would have to be demolished/transferred from Block 600 to allow for 277,161 SF within Block 500. In reducing the transfer by 30,000 SF the traffic analysis concluded that there would be no adverse traffic impacts. The amount of square footage after the transfer would be less than the total allowed in the General Plan. Since the City Council transfer action on December 11, 2007 (Resolution No. 2007-82) a new location for the City Hall has been selected.

The February 5, 2008 voter approval of Measure B stipulated that the City Hall would be located on a 12-acre site along Avocado Ave. north of the library, and not in Block 500. Because the traffic analysis for the referenced transfer projected a greater volume of traffic than will actually now occur in North Newport Center (City Hall has a higher traffic generation rate as compared to General Office), the 30,000 square feet that was given up in the transfer may be regained if a new traffic analysis determines that no adverse traffic impacts would occur.



Transfer TD 2008-1 – Post Transfer SF

*All unbuilt hotel rooms (195) were converted to office square feet. The hotel rooms were given different square footage conversion rates.

30 rooms at 1,000 SF = 30,000 SF

100 rooms at 1,425 SF/room = 142,500 SF

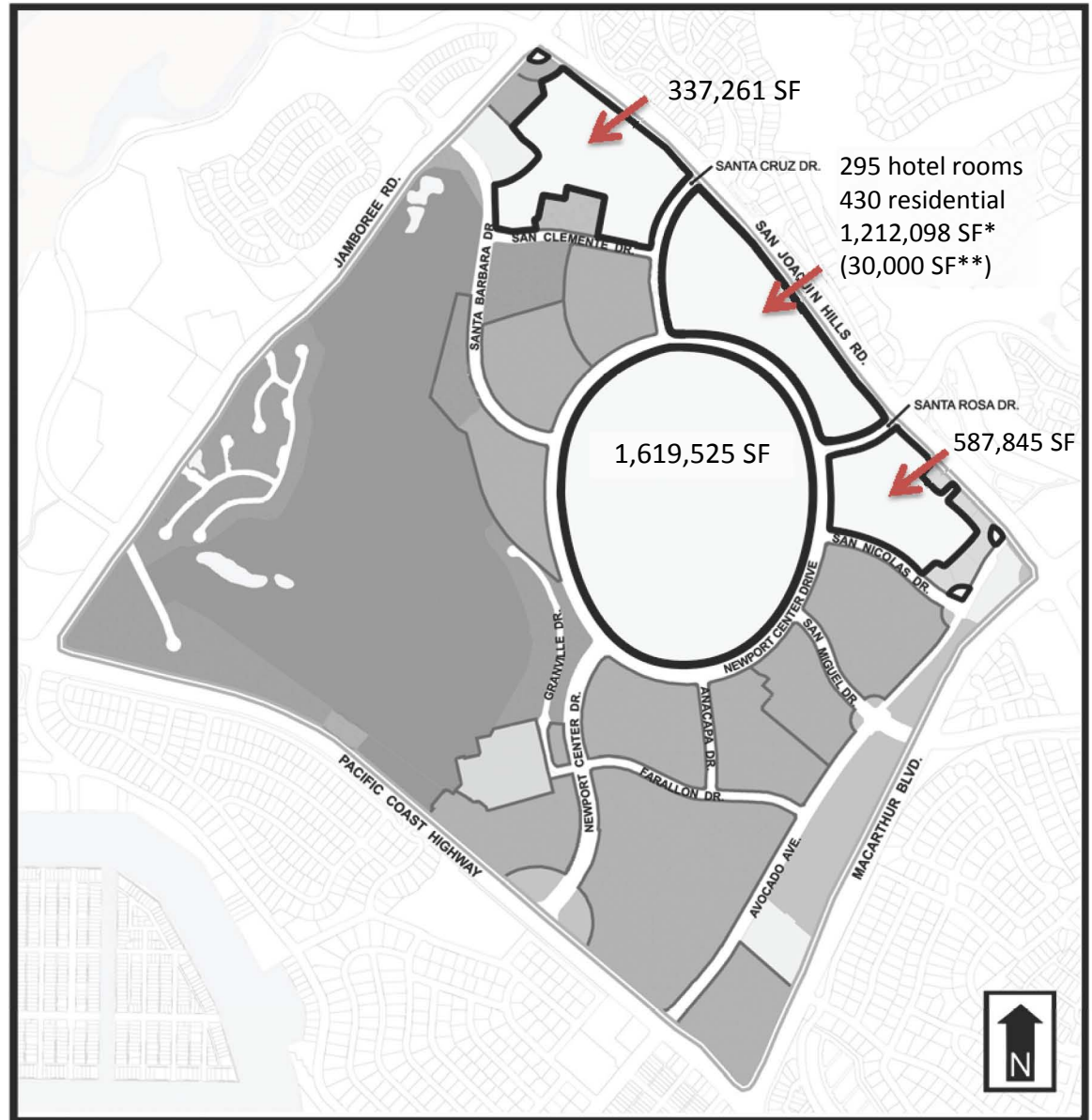
65 rooms 1,425 SF/room = 92,625 SF

Since the 65 hotel rooms were not included in the General Plan Entitlement figure for square footage, the corresponding square footage (92,625 SF) is not deducted from the Entitlement number.

In addition to the hotel rooms, 42,036 SF was identified for demolition, and transferred.

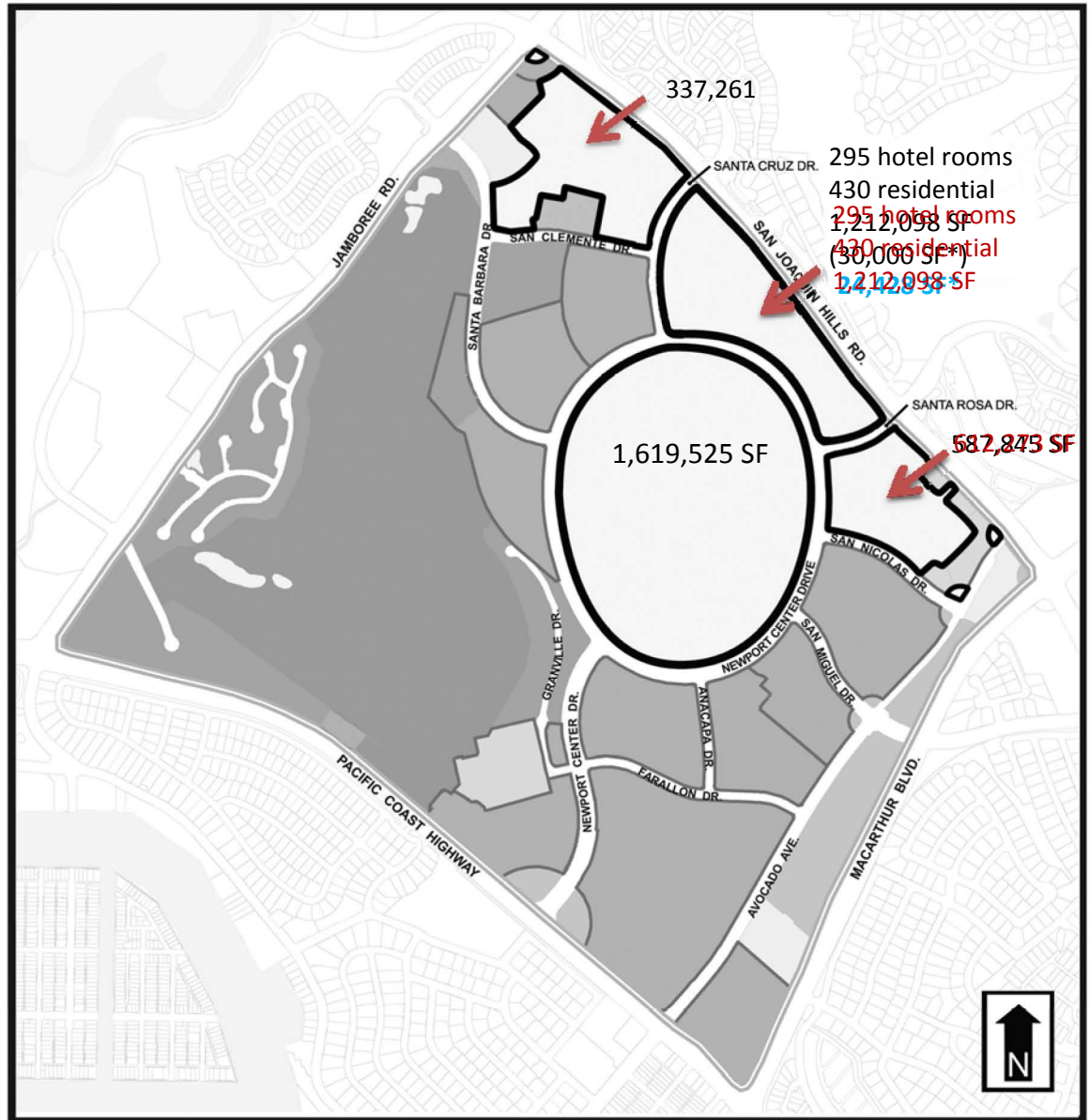
1,426,634 SF (GP Entitlement)
30,000 SF (30 hotel rooms)
-142,500 SF (100 hotel rooms)
42,036 SF (office/misc.)
1,212,098 SF

****TD-2008-1 Footnote 7:** An additional 30,000 SF is available for use in Block 600 if a traffic analysis determines that there will be no adverse traffic impacts. See footnote 5.



Transfer TD 2008-2

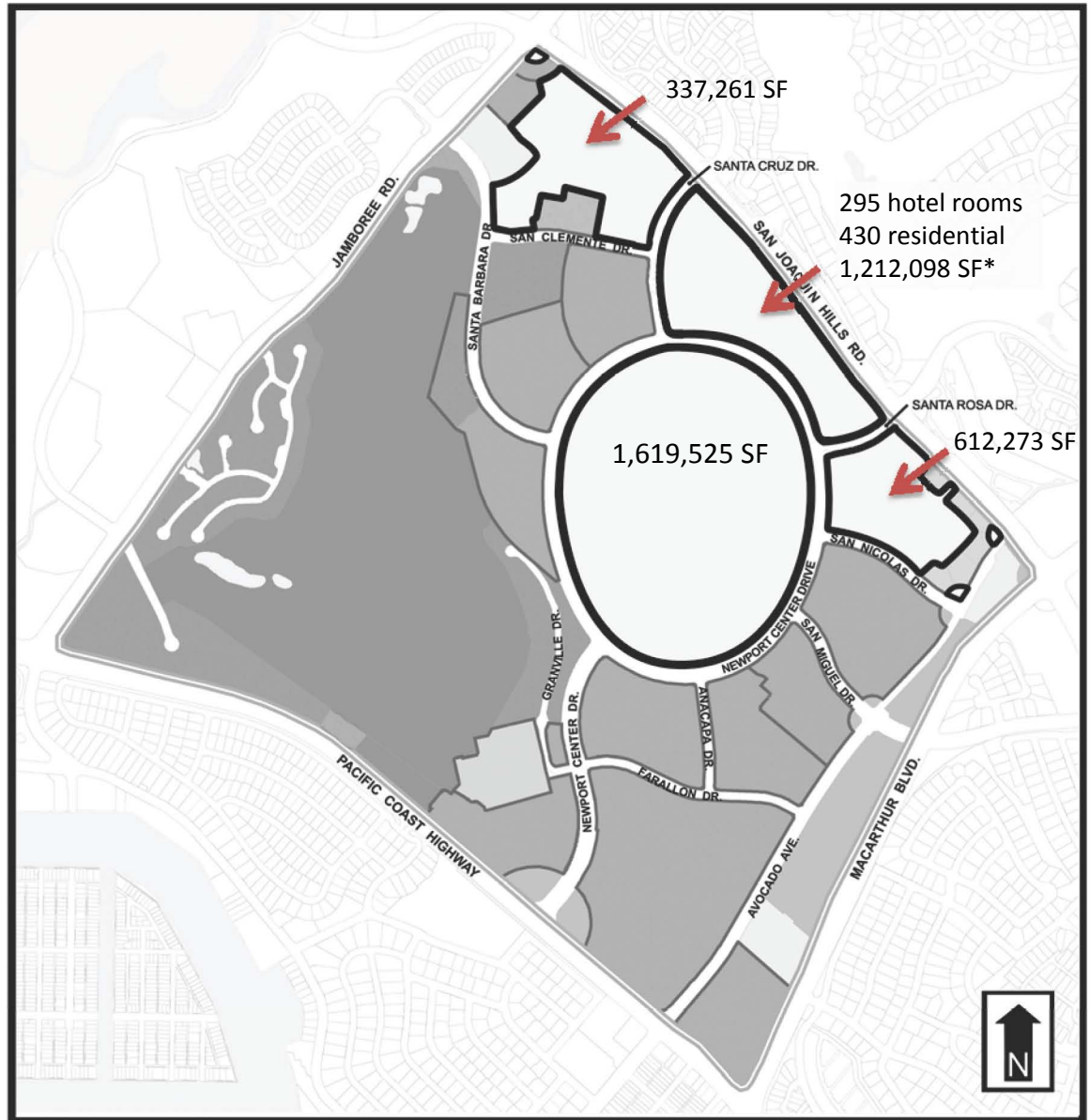
*24,428 SF taken from 30,000 SF remaining following conversion of use with TD 2008-1. 30,000 SF could only be used if traffic analysis determined no adverse traffic impacts. Not deducted from overall Block 600.



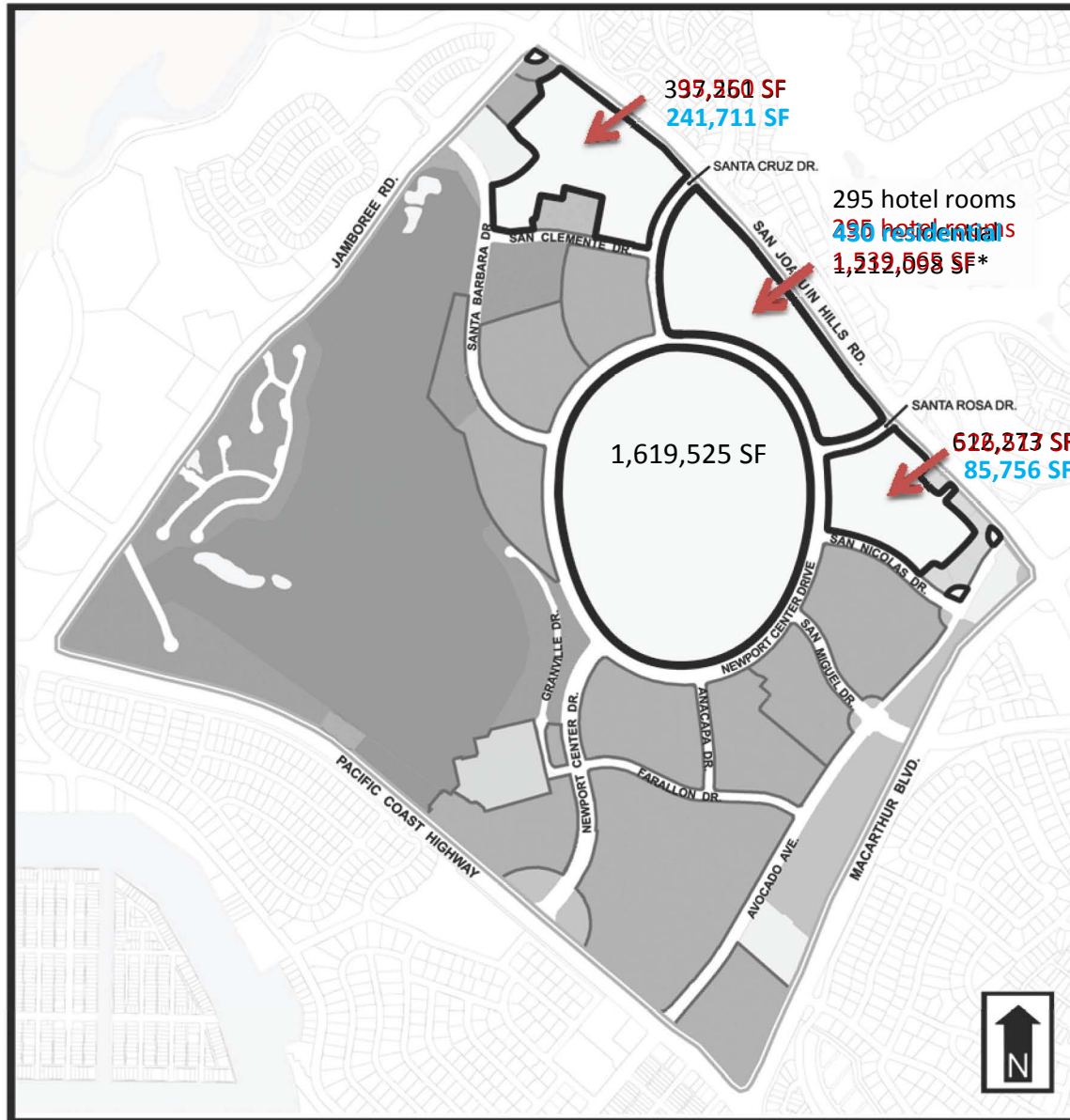
Transfer TD 2008-2 – Post Transfer SF

*Transferred square footage not deducted from overall entitlement because it was deducted as part of TD 2008-1.

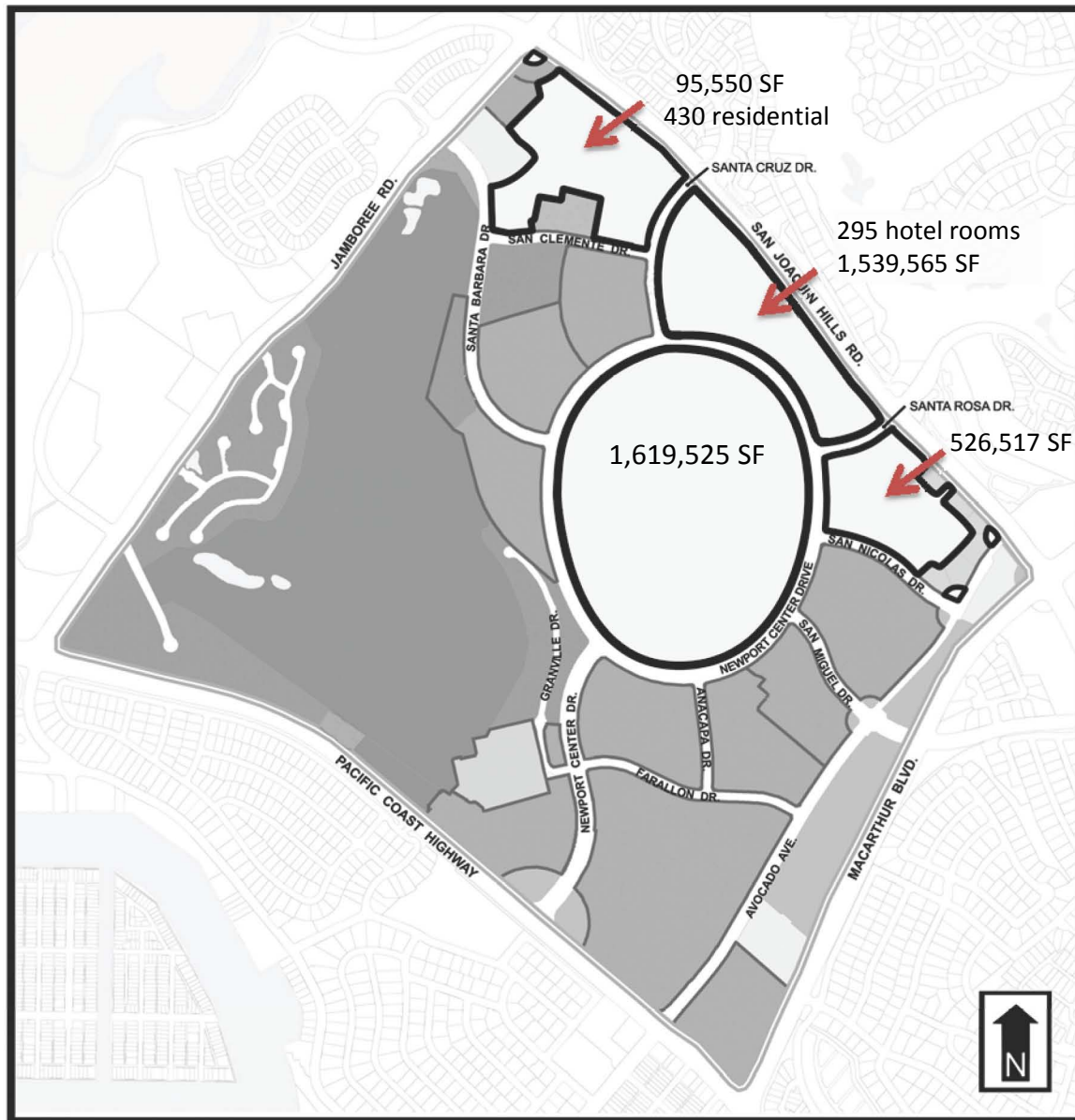
See footnote 5 on Tracking Table TD 2008-1.



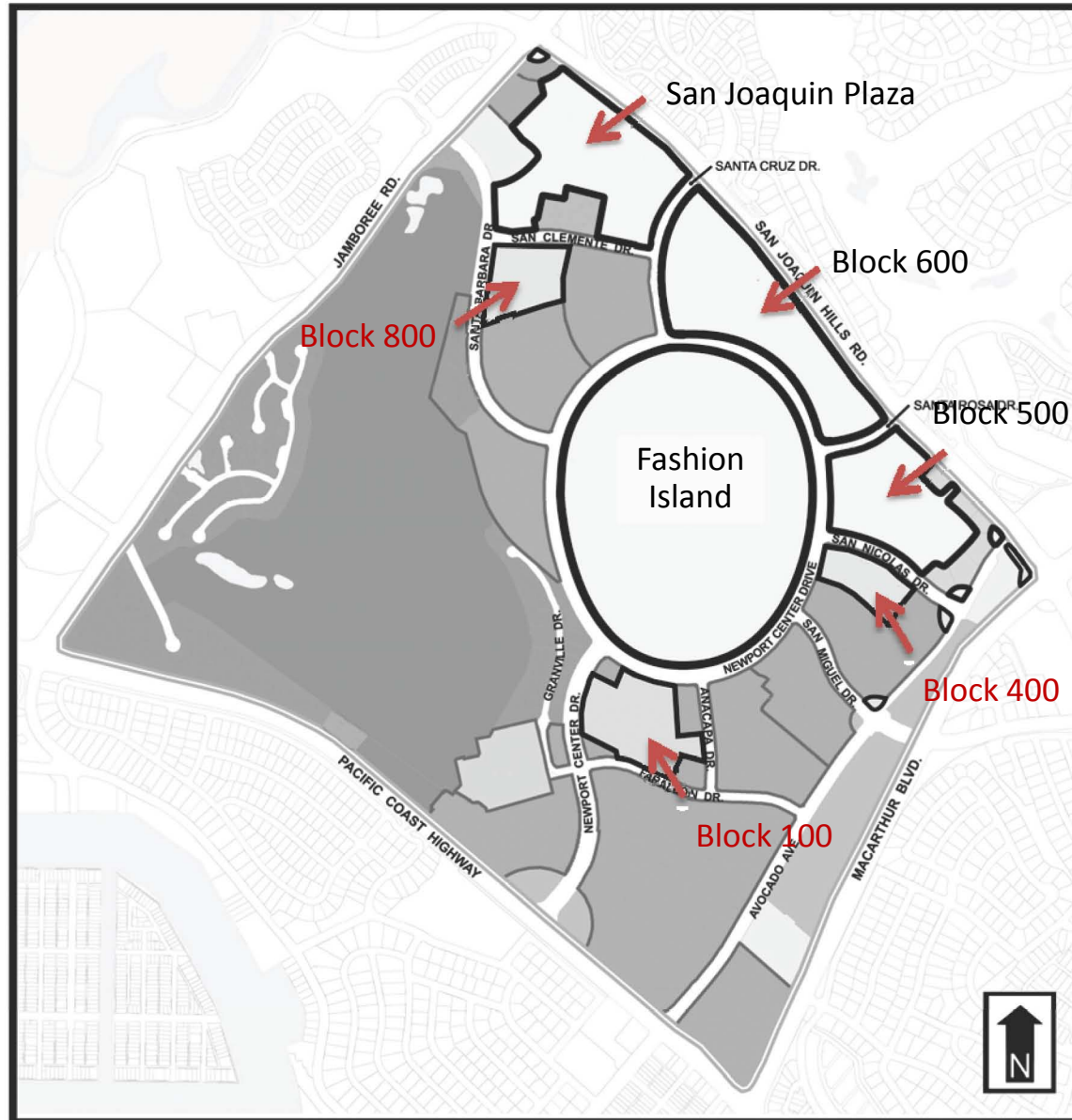
Transfer TD 2009-1



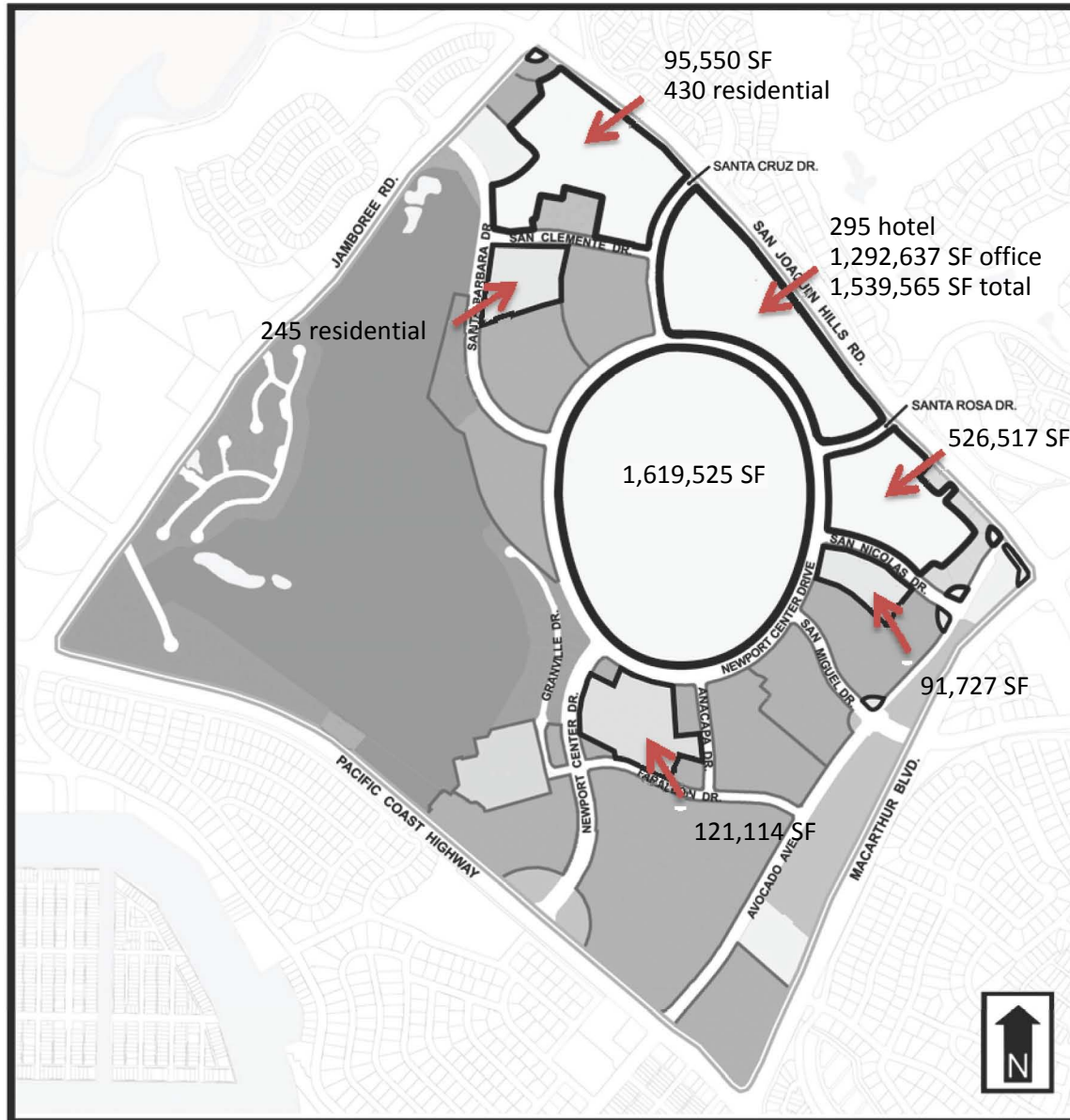
Transfer TD 2009-1 – Post Transfer



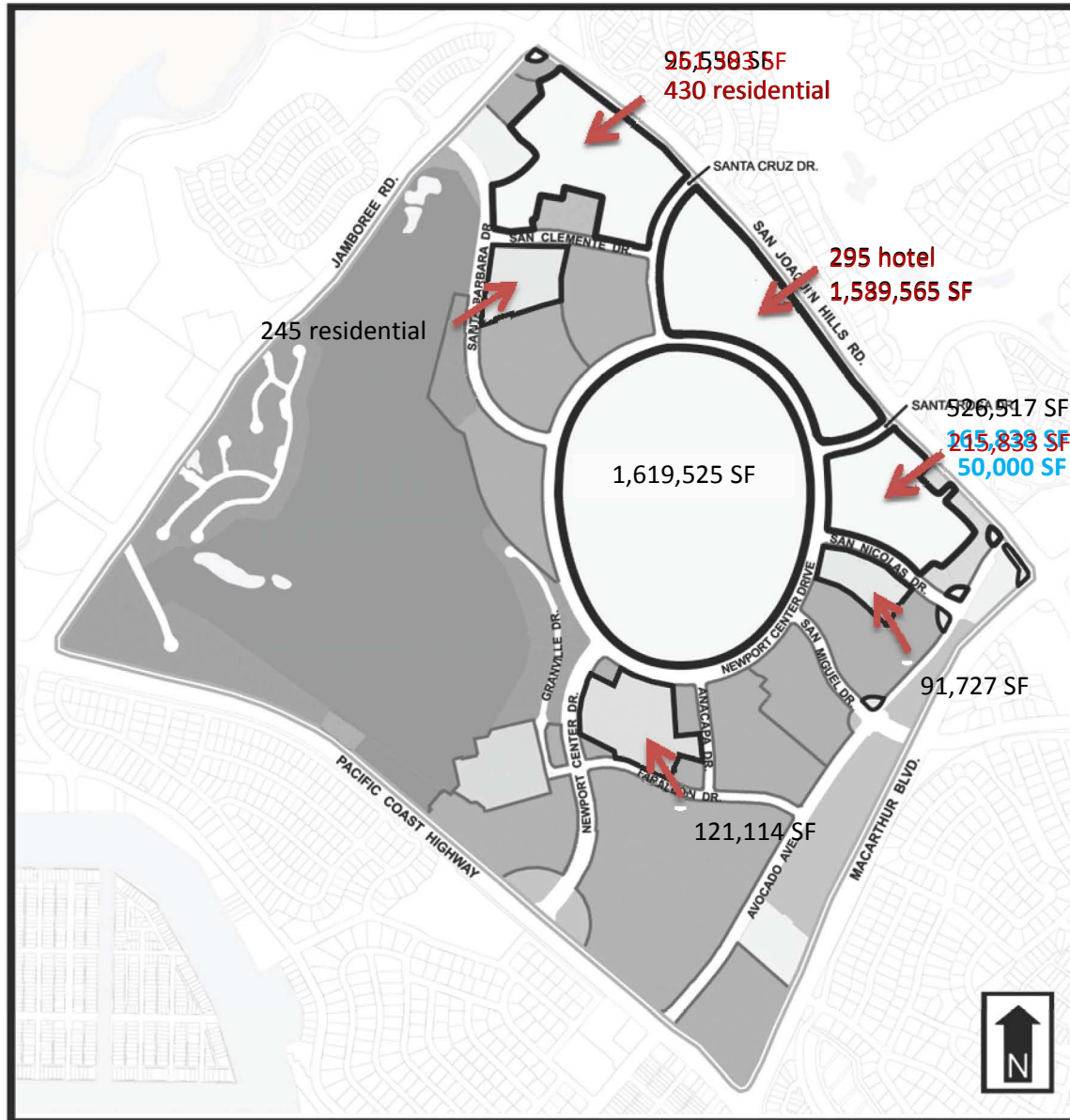
Amendment of PC-56, November 2009



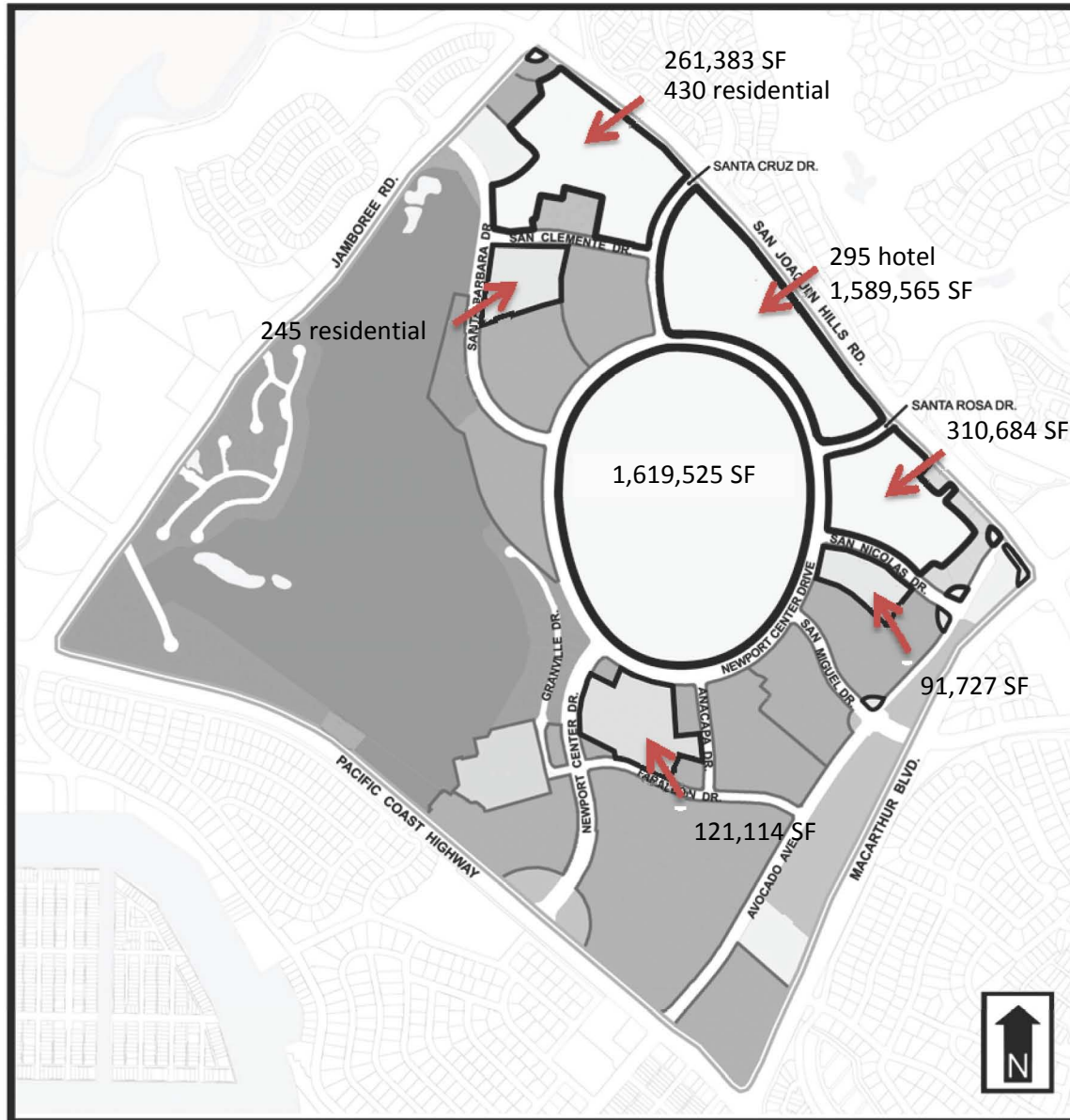
Amendment of PC 56, November 2009



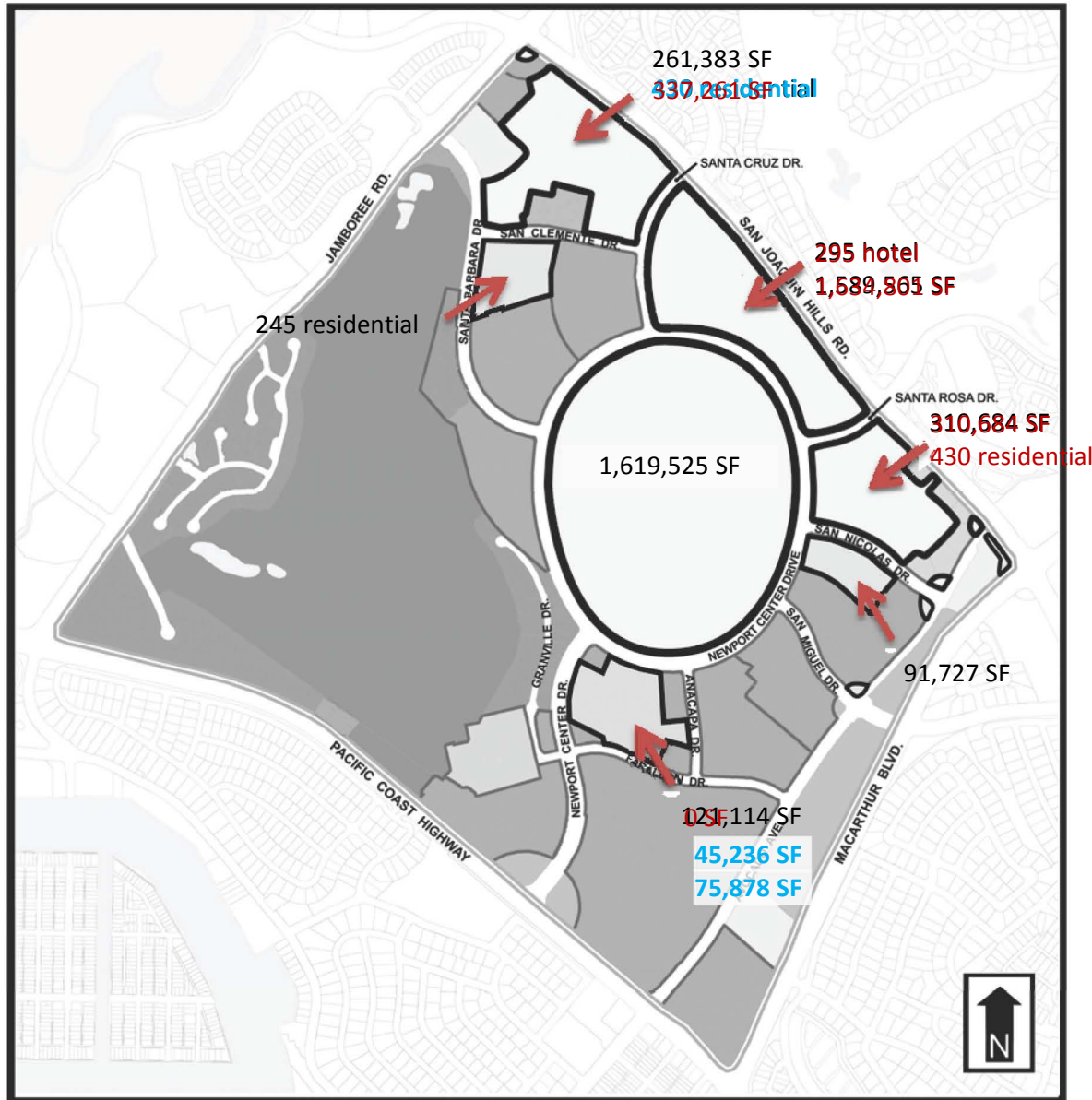
Transfer TD 2009-2



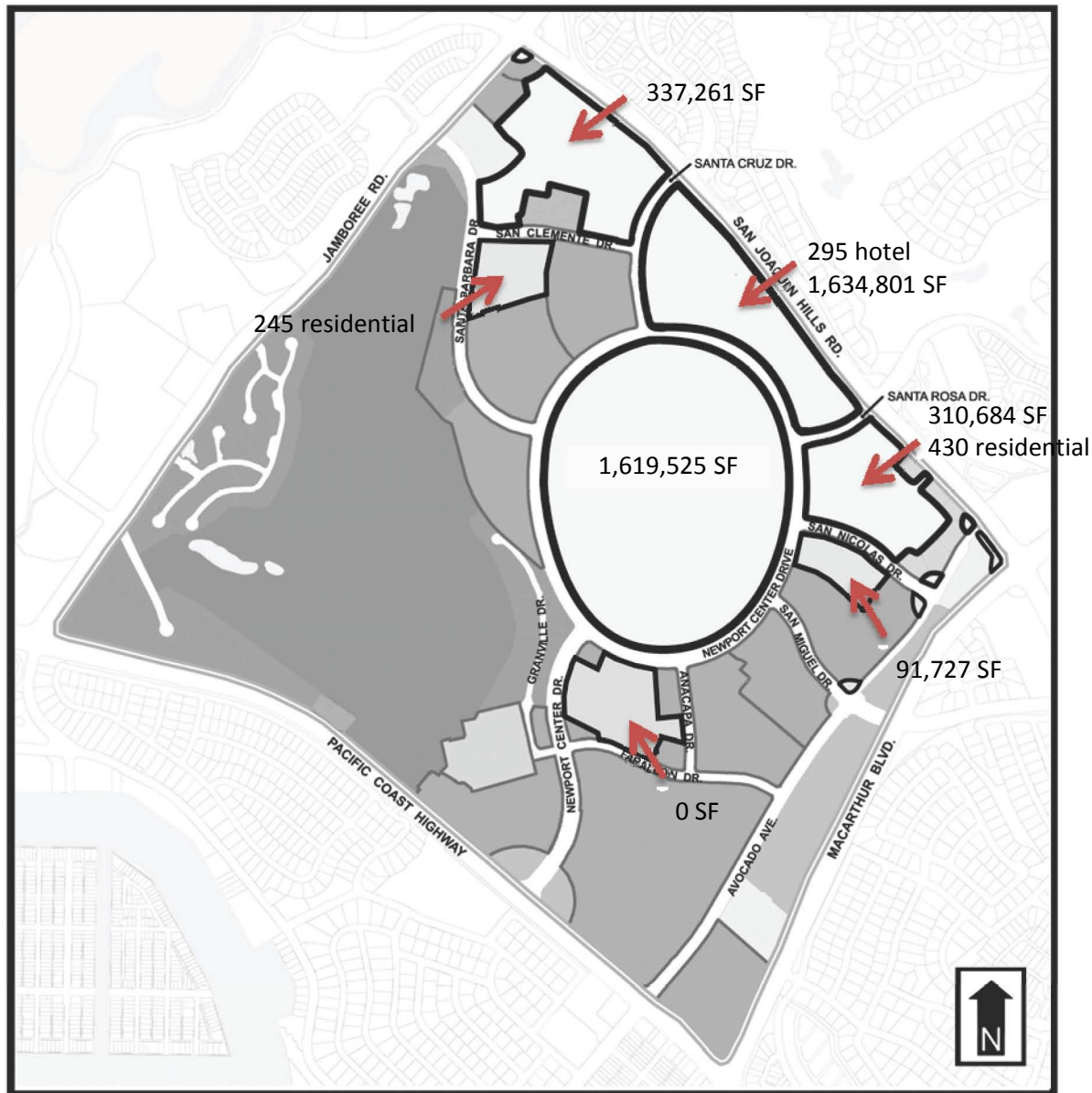
Transfer TD 2009-2 – Post Transfer



Transfer TD 2010-1



Transfer TD 2010-1 – Post Transfer



**CITY OF NEWPORT BEACH
PLANNING COMMISSION STAFF REPORT**

April 7, 2011 Hearing

Agenda Item 3

- SUBJECT:** West Newport Amendments - (PA2010-182, 190, and PA2011-014)
6904, 6908-6936, and 6480 West Coast Highway
- General Plan Amendment Nos. GP2010-002, 013, and GP2011-002
 - Code Amendment Nos. CA2010-012, 013, and CA2011-003
 - Local Coastal Plan Amendment Nos. LC2010-002, 003, and LC2011-001
- APPLICANTS:** T.K. Brimer, B. Jeffrey and Lorraine Kennard, and The National Cat Protection Society
- PLANNER:** Javier S. Garcia AICP, Senior Planner
(949) 644-3206, jgarcia@newportbeachca.gov
-

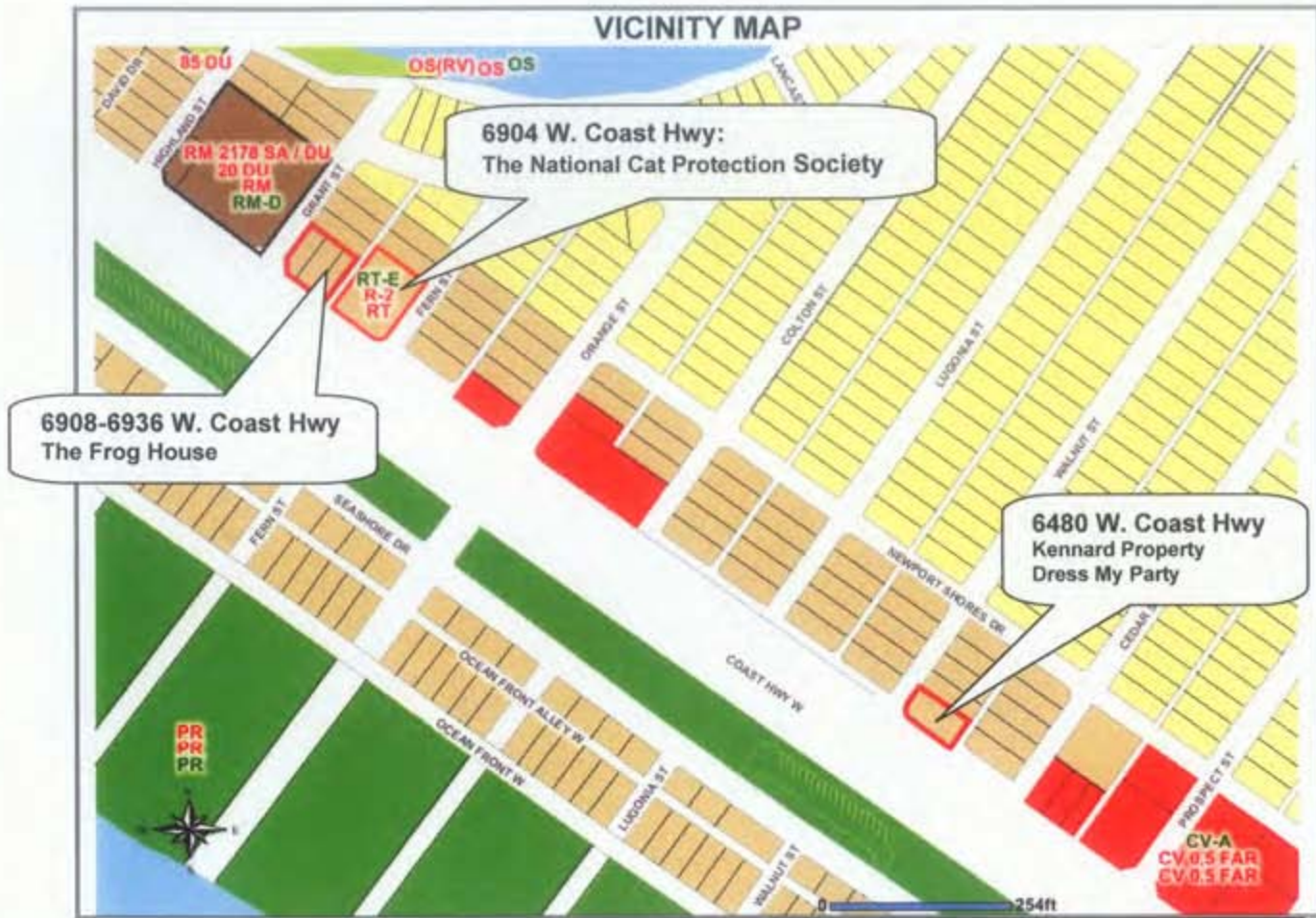
PROJECT SUMMARY

Amendments to the General Plan, Coastal Land Use Plan, and Zoning Code to change the designations of three properties from Two-Unit Residential (RT and RT-E) to Visitor Serving Commercial (CV) or Mixed Use-Vertical (MU-V) land use designations. The amendments were initiated by the property owners who are seeking to continue the existing nonconforming commercial use of their properties. All three properties are currently developed with commercial and mixed-use buildings, and no new land use or development is proposed at this time.

RECOMMENDATION

- 1) Conduct a public hearing; and
- 2) Adopt Resolution No. ____ (Attachment No. PC 1) and attached Exhibits recommending the City Council:
 - Approve General Plan Amendment Nos. GP2010-002, GP2010-013, and GP2011-002; and
 - Approve Local Coastal Plan Amendment Nos. LC2010-002, LC2010-003, and LC2011-001; and
 - Approve Code Amendment Nos. CA2010-012, CA2010-013, and CA2011-003.

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CHANGES: CURRENT to PROPOSED			
LOCATION:	GENERAL PLAN:	COASTAL LAND USE PLAN:	ZONING:
6480 W COAST HWY	RT to CV-0.5	RT-E to CV-A	R-2 to CV-0.5
SURROUNDING USES: North, South, East and West	RT (Two-Unit Residential)	RT-E (Two-Unit Residential)	R-2 (Two-Unit Residential)
6904 W COAST HWY	RT to MU-V	RT-E to MU-V	R-2 to MU-V
6908-6936 W COAST HWY	RT to MU-V	RT-E to MU-V	R-2 to MU-V
SURROUNDING USES: North, South, & East	RT (Two-Unit Residential)	RT-E (Two-Unit Residential)	R-2 (Two-Unit Residential)
West	RM (Multi-Unit Residential)	RM-D (Multi-Unit Residential)	RM (2178) (Multi-Unit Residential)

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INTRODUCTION

Project Setting

The properties involved are located on the inland side of West Coast Highway in West Newport and are designated by the Land Use Element of the General Plan, Coastal Land Use Plan, and the Zoning Code for Two-Unit Residential use. The properties are currently occupied by commercial and mixed-use buildings and uses that are nonconforming with the General Plan, Coastal Land Use Plan and the Zoning Code.

Background

On July 25, 2006, the Newport Beach City Council adopted Resolution No. 2006-76 approving a comprehensive update to the Newport Beach General Plan ("General Plan Update").

On November 13, 2007, the City Council adopted Resolution No. 2007-71, approving Coastal Land Use Plan Amendment No. LC2007-001 making the Coastal Land Use Plan consistent with the General Plan Update.

On January 28, 2008, the City Council adopted Ordinance No. 2008-05, which in addition to other Zoning Code changes, established the maximum time period for the abatement and termination of nonconforming uses in residential districts. However, determinations of nonconformity could not be made until the finalization of the City's Local Coastal Plan (LCP), which occurred on July 14, 2009, and the subsequent Zoning Code Update which was effective November 25, 2010.

On October 25, 2010, the City Council Adopted a Comprehensive Update to the Zoning Code (Newport Beach Municipal Code Title 20) bringing consistency between the Zoning Code and the Land Use Element of the General Plan. The result of that action rendered several properties nonconforming, including existing commercial uses located within residential districts, which in accordance with Ordinance No. 2008-05 became subject to abatement.

The City sent letters to all known uses that are subject to abatement. Staff has met and continues to meet with many of the owners of property that are subject to abatement. Staff has explained to those owners the options available to them to remedy their individual situations. Those remedies may include conversion of use or development to a residential use; request for extension of the abatement period; and/or request to amend the General Plan, Coastal Land Use Plan and Zoning Code to allow the continuation of the commercial use. In the case of the subject applications, the individual owners chose to pursue amendments to change the land use designations of their properties from residential to commercial or mixed-use.

Project Description

The list of proposed amendments are as follows:

Locations: (Application Number)	EXISTING AND PROPOSED CHANGES					
	General Plan:		Coastal Land Use Plan:		Zoning District:	
	From	To	From	To	From	To
6480 W Coast Hwy Kennard Property (Dress My Party) (PA2010-190)	RT	CV 0.5	RT-E	CV-A	R-2	CV-0.5
6904 W Coast Hwy The National Cat Protection Society (PA2011-014)	RT	MU-V	RT-E	MU-V	R-2	MU-V
6908-6936 W Coast Hwy TK Brimer The Frog House (PA2010-182)	RT	MU-V	RT-E	MU-V	R-2	MU-V

General Plan: RT - Two-Unit Residential
CV-0.5 FAR – Visitor Serving Commercial, 0.5 floor area ratio
MU-V - Mixed Use Vertical

Coastal Land
Use Plan: RT-E – Two-Unit Residential
CV-A - Visitor Serving Commercial
MU-V – Mixed Use Vertical

Zoning District: R-2 - Two-Unit Residential
CV 0.5 FAR - Visitor Serving Commercial, 0.5 floor area ratio
MU-V - Mixed Use

Zoning Designations:

The R-2 zoning district is intended to provide for areas appropriate for a maximum of two residential dwelling units (i.e., duplexes) located on a single legal lot.

The CV zoning district is intended to provide for areas appropriate for accommodations, goods, and services intended to serve primarily visitors to the City.

The MU-V zoning district is intended to provide for areas appropriate for the development of mixed-use structures that vertically integrate residential dwelling units above the ground floor with retail uses including office, restaurant, retail, and similar nonresidential uses located on the ground floor or above.

Development Intensity:

The CV-0.5 Zoning District allows for the development of commercial floor area with a maximum floor area ratio (FAR) of 0.5.

The MU-V zoning district allows for the development of mixed use commercial and residential projects with a maximum commercial FAR of 0.75 and residential density of one unit for every 1,631 square feet of land area (density of 26.7 units per acre). Residential uses are only allowed above the ground floor.

DISCUSSION

Analysis

Amendments to the General Plan Land Use Plan, Coastal Land Use Plan, and Zoning Code are legislative acts. Neither City nor State Planning Law sets forth required findings for approval or denial of such amendments. However, when making a recommendation to the City Council, the Planning Commission should consider applicable policies and development standards to ensure internal consistency.

General Plan - Land Use Element

Goal LU3 of the General Plan states as follows:

A development pattern that retains and complements the City's residential neighborhoods, commercial and industrial districts, open spaces, and natural environment.

Policy LU 3.2 - Growth and Change states as follows:

Enhance existing neighborhoods, districts, and corridors, allowing for re-use and infill with uses that are complementary in type, form, scale, and character. Changes in use and/or density/intensity should be considered only in those areas that are economically underperforming, are necessary to accommodate Newport Beach's share of projected regional population growth, improve the relationship and reduce commuting distance between home and jobs, or enhance the values that distinguish Newport Beach as a special place to live for its residents. The scale of growth and new development shall be coordinated with the provision of adequate infrastructure and public services, including standards for acceptable traffic level of service.

7

Policy LU 3.2 is intended to provide direction to decision-makers in determining under what circumstances changes in land use, density, or intensity should be considered. This policy recognizes that there are some areas of the City that are not achieving their full potential and the policy establishes strategies for their enhancement and revitalization. The proposed amendments would not create unacceptable or significant traffic impacts or impacts to existing infrastructure or public services. Continuation of existing uses and the future redevelopment of the properties consistent with the proposed commercial or mixed-use designations would not create development that would be complementary in type, form, scale, and character; however vertically integrated mixed-use buildings are not found in the West Newport Area. Commercial designations with commercial uses and no residential component are more consistent with the existing development pattern and would provide for future revitalization when economic factors allow redevelopment.

Policy LU 3.3 - Opportunities for Change states in part as follows:
(Newport Beach General Plan, Page 3-9)

Provide opportunities for improved development and enhanced environments for residents in the following districts and corridors...

- *West Newport Area: consolidation of retail and visitor-serving commercial uses, with remaining areas developed for residential units...*

Staff believes that this policy was implemented with the adoption of the land use plan map that included designating several underperforming commercial properties to residential. One of the three subject sites was so re-designated with the adoption of the land use plan map (The National Cat Protection Society property). The other two sites were designated for residential uses with the adoption of the Newport Shores Specific area plan over 25 years ago. The purpose was to strengthen the viability of commercial uses around the existing commercial centers at the two signalized intersections. The proposed amendments are contrary to that intent because they propose to expand the scope of the commercial centers. However, the subject properties involved are in close proximity with the two commercial areas. Additionally, the amendments will provide opportunities for improved development in furtherance of the policy when economic conditions permit. Approval of the amendments will allow the continuation of the existing uses and development that would not be subject to abatement and therefore avoid the near term result of creating vacant buildings on West Coast Highway. The presence of vacant storefronts would have the opposite effect of revitalization.

General Plan Amendment No. GP2010-013 (PA2010-190)

6480 West Coast Highway -This amendment affects a parcel located at the southeast corner of West Coast Highway and Walnut Street, and proposes to change the land use category from RT (Two-Unit Residential) to CV 0.5 (Visitor-Serving Commercial). The

current building exceeds the 0.5 FAR and it does not provide the minimum code required parking. The amendment would eliminate the opportunity for residential use.

Since the original submittal of the application for a land use change to CV 0.5, the owners have reconsidered their request and have asked that the Commission consider a request to redesignate the site to MU-V (Mixed-Use Vertical). The owners are concerned with the limits on retail sales with the CV zone (general retail sales are not allowed, but visitor-serving retail sales are). Additionally, the owners want the opportunity to have a residential use above the shops. Staff does not support the change to the MU-V designation given that vertically integrated mixed-use development is not located within the West Newport Area.

However, the Planning Commission could find future development of the property as a mixed-use development will enhance and revitalize the West Newport Area and direct staff to revise the resolution and attached documents to reflect the change from RT (Two-Unit Residential) to MU-V (Mixed-Use Vertical).

General Plan Amendment No. GP2010-002 (PA2010-182)

6908-6936 West Coast Highway – This amendment affects three lots located at the corner of West Coast Highway and Grant Street, and proposes to change the land use category from RT (Two-Unit Residential) to MU-V (Mixed-Use Vertical). The properties are currently developed with a single residential unit located on the rear half of the two easternmost parcels, and a commercial building (The Frog House) located on the easternmost parcel. Parking for The Frog House is located on the front half of the westerly two parcels. Although the The Frog House has a strong following that supports its continued economic success, aesthetically, the property detracts from the overall district. Current development would not be consistent with the proposed MU-V designation although it would achieve the goal of the owner to allow the commercial use to continue. The existing residence would not be subject to abatement as a nonconforming use.

As noted previously, staff is concerned that the introduction of vertically integrated mixed-use projects is not consistent with uses in the area. Future development of the three individual lots as individual mixed-use projects would be difficult due to their small lot size (lot areas of 1,825 sq. ft., 2,165 sq. ft., and 2,278 sq. ft.). It is possible that the combining of the three small existing parcels could accommodate such a project; however, vehicular access and parking could restrict the feasibility of such a project. Additionally, commercially designated lots along the highway are designated CV. Therefore, for these reasons staff recommends that the amendment be approved changing the designation to CV 0.5 (Visitor-Serving Commercial) rather than MU-V.

General Plan Amendment No. GP2011-002 (PA2011-014)

6904 West Coast Highway – This amendment affects a single parcel that is occupied by The National Cat Protection Society, an animal shelter. The parcel was created by the combining of three lots and a portion of a fourth into a single parcel in 1994, in conjunction with an addition to the building and an amendment to Use Permit No. 353. The applicant's original request was to change the land use category from RT (Two-Unit Residential) to CV 0.5 (Visitor-Serving Commercial). Staff had proposed that a change to mixed-use might be appropriate in this case, since the applicant to the west (The Frog House) had requested a mixed-use designation. However, after careful consideration of the General Plan Policies and the pattern of development in the West Newport Area as mentioned previously, staff believes that CV 0.5 is appropriate. While the existing building complies with the 0.5 FAR, alterations and additions would be limited. However, the existing commercial use of the property would be allowed to continue, which is the primary intent of the applicant.

However, if the Planning Commission should so chose, they could determine that the amendment to accommodate mixed-use is appropriate in this case, and direct staff to revise the resolution and attached documents to reflect the change from RT (Two-Unit Residential) to MU-V (Mixed-Use Vertical). The Planning Commission could make a determination that, given the size of this property, a mixed-use project with vehicular access from the alley could be accommodated, and that such future development of the property will enhance and revitalize the West Newport Area, which is therefore consistent with the General Plan Policies.

Coastal Land Use Plan

Coastal Land Use Policy 2.1.3-2 states as follows:

Allow local and visitor serving commercial retail consistent with the CV category in two centers at Prospect Street and Orange Street.

The subject properties are within close proximity of these two locations (each are one to one-half block west of these commercial centers) and the proposed CV-A category is consistent the policy because it allows for visitor serving commercial uses. Additionally, in the short term, retention of the existing commercial uses and in the long term, potential future development, consistent with either a MU-V or CV designations would complement the existing commercial centers with uses that serve the local residential neighborhood and beach going visitors, consistent with this policy.

Coastal Act

The Coastal Act provides policies to protect coastal resources and maximize coastal access to the public. Each of the three sites does not contain any sensitive coastal resources as they are presently developed with commercial and residential buildings. Each of the three sites is not located where public access easements would be necessary. The Coastal Act prioritizes land uses, and visitor-serving uses are a higher

priority land use than residential use. Continued commercial use of the three properties as developed and future redevelopment as either MU-V or CV will not conflict with the policies of the Coastal Act.

Zoning Code

The stated purpose and intent of the Zoning Code is to carry out the policies of the City of Newport Beach General Plan. Consistency between the General Plan and zoning designations is critical to ensuring orderly development and enforcement. In the case of each of the three properties, existing development would not strictly conform to all standards of the MU-V or CV zoning districts; however, continued commercial use of the sites would be allowed without abatement. The properties would be subject to Chapter 20.38 (Nonconforming Uses and Structures) and new development would require conformance with applicable development and parking standards.

Charter Section 423 (Measure S) Analysis

Pursuant to City Charter Section 423 and Council Policy A-18, an analysis must be prepared to establish whether a proposed general plan amendment (if approved) requires a vote by the electorate. The proposed amendments are combined with 80% of the increases in traffic, dwelling units and non-residential floor area created by previous general plan amendments (approved within the preceding 10 years) within the same statistical area. The following thresholds are applicable: 100 dwelling units, 100 A.M. peak hour trips, 100 P.M. peak hour trips, or 40,000 square feet of non-residential floor area. If any of the thresholds are exceeded and the City Council approves the requested General Plan Amendments, the amendments would be classified as a "major amendment" and be subject to voter consideration. Approved amendments, other than those approved by the electorate, are tracked for 10 years and factored into the analysis of future amendments as indicated.

Table 1, below, summarizes the changes created by the proposed amendments with the recommended CV 0.5 designation. The table also shows threshold totals if the Planning Commission chooses to allow the MU-V designation for The Frog House and The National Cat Protection Society properties. As indicated, in either case, none of the four thresholds would be exceeded, and therefore, a vote is not required. A more detailed analysis is attached (Attachment No.PC6).

Table 1 Charter Section 423 Analysis Summary Statistical Area B1				
	Allowed Floor Area	A.M. Peak Hour Trips	P.M. Peak Hour Trips	Increase in Allowed Dwelling Units
Proposed GP2010-002	3,139 sq. ft.	7.22	9.86	0
Proposed GP2010-013	2,068 sq. ft.	5.32	7.19	0
Proposed GP2011-002	4,474 sq. ft.	12.54	16.82	0
SUBTOTAL	13,487.5 sq. ft.	15.08	33.87	0
Prior Amendment GP2010-001	2,550 sq. ft. (80%)	5.89 (80%)	8.04 (80%)	0
TOTAL (CV only, with no residential units)	12,231 sq. ft.	30.97	41.90	0
TOTALS (if MU-V is permitted on two subject properties)	16,037.5 sq. ft.	46.72	62.39	0

A.M. peak hour trip rate is 3 per 1,000 sq. ft

P.M. peak hour trip rate is 4 per 1,000 sq. ft.

SB18 Tribal Consultation Guidelines

Pursuant to Section 65352.3 of the California Government Code, a local government is required to contact the appropriate tribes identified by the Native American Heritage Commission (NAHC) each time it considers a proposal to adopt or amend the General Plan. If requested by any tribe, the local government must consult for the purpose of preserving or mitigating impacts to cultural resources. The City received comments from the NAHC indicating that nine tribe contacts should be provided notice regarding the proposed project. The appropriate tribe contacts supplied by the NAHC were provided notice on January 21, 2011. Section 65352.3 of the California Government Code requires 90 days to allow tribe contacts to respond to the request to consult unless the tribe contacts mutually agree to a shorter time period.

The project sites are located in a geographic feature which was significantly modified during the last century in order to alter channels for navigation (Semeniuk Slough) and form habitable islands. The West Newport area was created after the era of Native American settlement and has been subject to significant landform alteration. Due to these factors, the City has contacted the nine tribe contacts by telephone, email, and

standard mail, and has not yet received any responses although the review period remains open. The Planning Commission may recommend the proposed project to City Council at this time. However, the City Council may not act on the proposed amendments until the tribe review period is concluded. Given the sites are presently developed and that the no development is proposed at this time, staff does not anticipate any conflicts or need for monitoring by the tribes. If any comments are received from the tribes, they will be forwarded to the City Council for consideration.

Environmental Review

The proposed amendments are exempt since they do not entail any significant alteration to the subject properties and will bring the General Plan Land Use, Coastal Land Use, and Zoning Districts designations consistent with the present use of the buildings and properties involved. The sites are presently developed and no development is proposed at this time, however, future development of the existing individual properties and structures would be categorically exempt under Section 15302 of the California Environmental Quality Act (CEQA) Guidelines – Class 2 (Replacement or Reconstruction). Therefore, this activity is not subject to CEQA.

Summary

The applicants have requested the amendments to allow retention of the existing commercial buildings and uses. These uses have been in existence for a very long time and their abatement at this time seems contrary to the General Plan Policies that promote revitalization of the area. Continuation of these uses and future development consistent with either the MU-V or CV designation doesn't appear to conflict with the General Plan or Coastal Land Use Plan or Coastal Act. Staff does not foresee any adverse environmental impacts with continued use or redevelopment. The approval of the General Plan Amendments to CV 0.5 or the MU-V designation would not necessitate a vote of the electorate, as required by Section 423 of the City Charter.

Alternatives

Alternatives to the recommended or applicant proposed amendments could include designation to CG (General Commercial), or CC (Corridor Commercial) land use categories. These designations have a broader array of commercial uses.

The City could also consider a Code Amendment to create an overlay designation that could be applied to residentially zoned districts or lots that would allow for continued commercial use within existing commercial buildings. Future development would be limited to residential uses within residential buildings consistent with the General Plan and the Zoning Code. Adoption of an overlay district or designation would have the effect of eliminating the abatement and amortization requirements as currently apply. The overlay designation would allow for future development of these properties consistent with the General Plan when economic conditions are more favorable for such

construction, at the owner's discretion. A Code Amendment to create such a tool would require City sponsorship and if adopted, individual property owners could request a zoning designation change to apply the overlay to their property.

Public Notice

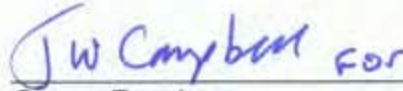
Notice of this hearing was published in the Daily Pilot, mailed to property owners within 300 feet of the properties, and was posted at the site a minimum of ten days in advance of this hearing, consistent with the Municipal Code. Additionally, the item appeared upon the agenda for this meeting, which was posted at City Hall and on the City website.

Prepared by:

Submitted by:



Javier S. Garcia AICP, Senior Planner



Gregg Ramirez,
Senior Planner

ATTACHMENTS

- PC 1 Draft Resolution with attached Exhibits
- PC 2 Relevant Information for 6480 W. Coast Highway, PA2010-190
- PC 3 Relevant Information for 6904 W. Coast Highway, PA2011-014
- PC 4 Relevant Information for 6908-6936 W. Coast Highway, PA2010-182
- PC 5 Section 423 Analysis Table

DRAFT RESOLUTION
With attachments

Exhibit A-
6480 W. Coast Highway
GP2010-013, LC2010-003, and CA2010013

Exhibit B-
6904 W. Coast Highway
GP2011-002, LC2011-001, and CA2011-003

Exhibit C-
6908-6936 W Coast Highway
GP2010-002, LC2010-002 and CA2010-

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RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH RECOMMENDING APPROVAL TO THE CITY COUNCIL AMENDMENTS TO THE LAND USE ELEMENT OF THE GENERAL PLAN, COASTAL LAND USE PLAN AND THE ZONING CODE TO CHANGE THE LAND USE DESIGNATION FROM TWO-UNIT RESIDENTIAL TO VISITOR SERVING COMMERCIAL (CV) FOR PROPERTIES LOCATED AT 6480, 6904, and 6908-6936 WEST COAST HIGHWAY (PA2010-182, 190; AND PA2011-014)

THE PLANNING COMMISSION OF THE CITY OF NEWPORT BEACH HEREBY FINDS AS FOLLOWS:

SECTION 1. STATEMENT OF FACTS.

1. On July 25, 2006, the Newport Beach City Council adopted Resolution No. 2006-76 approving a comprehensive update to the Newport Beach General Plan ("General Plan Update").
2. On November 13, 2007, the City Council adopted Resolution No. 2007-71, approving Coastal Land Use Plan Amendment No. LC2007-001 making the Coastal Land Use Plan consistent with the General Plan Update.
3. On January 28, 2008, the City Council adopted a new ordinance (Ordinance No. 2008-05) that established the maximum time period for the abatement and termination of nonconforming uses in residential districts. However, determinations of nonconformity could not be made until the finalization of the City's Local Coastal Plan (LCP), which occurred on July 14, 2009.
4. On October 25, 2010, the City Council Adopted a Comprehensive Update to the Zoning Code (Title 20) bringing consistency between the Zoning Code and the Land Use Element of the General Plan. The result of that action rendered numerous properties nonconforming, with existing commercial buildings and uses located within residential districts. In accordance with Ordinance No. 2008-05, mentioned above, those properties are subject to abatement.
5. An application was filed by Jeffrey and Lorraine Kennard, Paul Watkins on behalf of the National Cat Protection Society, and T.K. Brimer with respect to properties located at 6480, 6904, and 6908-6936 West Coast Highway, requesting approval of the following applications for amendment to the General Plan, Coastal Land Use Plan and the Zoning Code to change the land use from residential to commercial.
6. The subject properties are currently located within the Two-Unit Residential (R-2) Zoning District and the General Plan Land Use Element category is Two-Unit Residential Land Use (RT).

7. The change of the General Plan designations of 6480 W Coast Highway, 6904 and 6908-6936 West Coast Highway from Two-Unit Residential (RT) to Visitor Serving Commercial (CV).
8. The recommended change of the Zoning District designations of 6480 W Coast Highway, 6904 and 6908-6936 West Coast Highway from Two-Unit Residential (R-2) to Visitor Serving Commercial (CV).
9. The subject properties are located within the coastal zone. The Coastal Land Use Plan category of the subject properties is Two-Unit Residential Land Use designation (RT-E).
10. The recommended change to the Coastal Land Use designations consistent with the recommended General Plan Amendment for 6480 W Coast Highway, 6904 and 6908-6936 West Coast Highway from Two-Unit Residential (RT) to Visitor Serving Commercial (CV).
11. Council Policy A-18 requires that proposed General Plan amendments be reviewed to determine if a vote of the electorate would be required. If a project (separately or cumulatively with other projects over a 10-year span) exceeds any one of the following three thresholds, a vote of the electorate would be required if the City Council approves the suggested General Plan Amendment: the project generates more than 100 peak hour trips, adds 40,000 square feet of non-residential floor area, or adds more than 100 dwelling units in a statistical area.
12. This is the second set of General Plan Amendments that affect Statistical Area B1 since the General Plan update in 2006. A reduction in the number of dwelling units and the increase in non-residential floor area result in an increase of 30.97 AM peak hour trips and an increase 41.90 PM peak hour trips based on the commercial and residential housing trip rates reflected in Council Policy A-18. As none of the four thresholds that require a vote pursuant to Charter Section 423 are exceeded, no vote of the electorate is required.
13. A public hearing was held on April 7, 2011, in the City Hall Council Chambers, 3300 Newport Boulevard, Newport Beach, California. A notice of time, place and purpose of the meeting was given in accordance with the Newport Beach Municipal Code. Evidence, both written and oral, was presented to, and considered by, the Planning Commission at this meeting.

SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION.

1. This project has been determined to be categorically exempt under the requirements of the California Environmental Quality Act under Class 2 (Replacement or Reconstruction).
2. The project of proposed amendments are exempt since they do not entail any significant alteration to the subject properties and are essentially bringing the General Plan Land use Designations, Coastal Land Use Designations and Zoning Districts to

be consistent with the existing use of the buildings and properties involved. Therefore, this activity is not subject to CEQA.

3. The Planning Commission finds that judicial challenges to the City's CEQA determinations and approvals of land use projects are costly and time consuming. In addition, project opponents often seek an award of attorneys' fees in such challenges. As project applicants are the primary beneficiaries of such approvals, it is appropriate that such applicants should bear the expense of defending against any such judicial challenge, and bear the responsibility for any costs, attorneys' fees, and damages which may be awarded to a successful challenger.

SECTION 3. FINDINGS.

1. Amendments to the General Plan and Coastal Land Use Plan are legislative acts. Neither the City nor State Planning Law set forth any required findings for either approval or denial of such amendments.
2. Code amendments are legislative acts. Neither the City Municipal Code nor State Planning Law set forth any required findings for either approval or denial of such amendments, unless they are determined not to be required for the public necessity and convenience and the general welfare.
3. The amendments of the Land Use Element of the General Plan and the Coastal Land Use Plan will provide consistency with the proposed code amendments to change the zoning of the subject properties from Two-Unit Residential (R-2) to Mixed-Use (MU-V) and Visitor Serving Commercial designations (CV).
4. The existing buildings and uses, and future development of those properties affected by the proposed amendments will be consistent with the goals and policies of the Land Use Element of the General Plan and the Coastal Land Use Plan; and will be consistent with the purpose and intent of the CV 0.5 and MU-V zoning districts of the Newport Beach Municipal Code.

SECTION 4. DECISION.

NOW, THEREFORE, BE IT RESOLVED:

The Planning Commission of the City of Newport Beach hereby Recommends City Council approval of the following amendments to the General Plan and the Coastal Land Use Plan:

1. General Plan Amendment No. GP2010-013, and Coastal Land Use Plan Amendment LC2010-003, affecting 6480 W. Coast Highway, Statistical Area B1, Attachment Exhibit A,

2. General Plan Amendment No. GP2011-002, and Coastal Land Use Plan Amendment LC2011-001, affecting 6904 W Coast Highway, Statistical Area B1, Attachment Exhibit B.
3. General Plan Amendment No. GP2010-002, and Coastal Land Use Plan Amendment LC2010-002, affecting 6908-6936 W. Coast Highway, Statistical Area B1, Attachment Exhibit C.

The Planning Commission of the City of Newport Beach hereby recommends City Council approval of the following Code Amendments to amend the Zoning Code designation of the following properties:

1. Property located at 6480 West Coast Highway, and legally described as Lot 13 and a portion of Lot 14, Block 4, Seashore Colony Tract, (Code Amendment CA2010-013) changing the Zoning Designation from R-2 (Two-Unit Residential) to CV 0.5 (Visitor Serving Commercial), Attachment Exhibit A.; and
2. Property located at 6904 West Coast Highway, and legally described as Parcel 1 of Lot Line Adjustment No. 94-07, (Code Amendment CA2011-003) changing the Zoning Designation from R-2 (Two-Unit Residential) to CV 0.5 (Visitor Serving Commercial), Attachment Exhibit B.; and
3. Property located at 6908 through 6936 West Coast Highway, and legally described as Lots 12, 13 and a portion of Lot 14, Block 9, Seashore Colony Tract, (Code Amendment CA2010-012) changing the Zoning Designation from R-2 (Two-Unit Residential) to CV 0.5 (Visitor Serving Commercial), Attachment Exhibit C..

PASSED, APPROVED AND ADOPTED THIS 7th DAY OF APRIL, 2011.

AYES:

NOES:

ABSTAIN:

ABSENT:

BY: _____
Earl McDaniel, Chairman

BY: _____
Michael Toerge, Secretary

Exhibit A-

6480 W. Coast Highway
GP2010-013, LC2010-003, and CA2010013

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GP2010-013 (PA2010-190)
General Plan Amendment
6480 West Coast Highway



GP2010-013.mxd March/2011



LC2010-003 (PA2010-190)
Coastal Land Use Plan Amendment
6480 West Coast Highway



LC2010-003.mxd March/2011



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Exhibit B-

6904 W. Coast Highway
GP2011-002, LC2011-001, and CA2011-003

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CA2011-003 (PA2011-014)
Zoning Code Amendment
 8904 West Coast Highway



CA2011-003.mxd March 2011

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Exhibit C-

6908-6936 W Coast Highway
GP2010-002, LC2010-002 and CA2010-

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GP2010-002 (PA2010-182)
General Plan Amendment
6908-6936 West Coast Highway



GP2010-002.mxd March 2011



LC2010-002 (PA2010-182)
Coastal Land Use Plan Amendment
6908-6936 West Coast Highway



LC2010-002.mxd March 2011

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CA2010-012 (PA2010-182)
Zoning Code Amendment
6808-6936 West Coast Highway



CAS010-012.mxd March 2011



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RELEVANT INFORMATION:

6480 West Coast Highway

FOR PA2010-190

GP2010-013

CA2010-013

LC2010-003

ATTACHMENT No. PC 2

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6480 W. Coast Hwy

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Project Description and Justification Statement

6480 W. Coast Hwy., Newport Beach, Ca.

This property consists of a commercial building and parking lot, fronting W. Coast Hwy. in West Newport Beach. It has a parking lot, as well as a sidewalk along Coast Hwy. for pedestrians. Commercial property in this end of Newport Beach is very limited, therefore much needed to serve the surrounding community.

Due to the City of Newport Beach General Plan changes, this property was rezoned to Residential, without our request to do so. We have owned this property since 1976 (34 years). It has been used 100% of that time as a commercial property. The previous owners had also used it only as commercial. It has never been used otherwise. It was built solely for commercial usage.

It is not feasible to move the building to another location. We would have to sell this property, and then purchase another commercial property elsewhere. We are not able to qualify for a loan, so would not be able to purchase another property.

This cannot be used as residential.

If we cannot continue to rent it to a business tenant, then we would lose all income derived from the property, which would be detrimental to our livelihood.

Please rezone this property back to a commercial zoning.

Sincerely,
B. Jeffrey Kennard
Lorraine Kennard

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RELEVANT INFORMATION:

6904 West Coast Highway

FOR PA2011-014

GP2011-002

CA2011-003

LC2011-001

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6904 - West Coast Hwy

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EXHIBIT A

Project Description and Justification

6904 West Pacific Coast Highway, Newport Beach, California 92663
(APN: 424-432-07)
(the "Property")

The National Cat Protection Society (the "Society") purchased the Property in 1993 from Dr. Robert B. Nevin (a veterinarian) who previously used the Property as a veterinarian clinic. The Society has cared for and protected homeless cats on the Property for the past eighteen (18) years (and, indeed, the Society has been performing its good work dating back to 1968). In July of 1973, the prior commercial zone for the Property was established by virtue of the Newport Shores Specific Plan No. 4 (Ordinance No. 1497) and that zoning remained unchanged for 37 years until November 25, 2010 when the zoning for the Property was changed to R-2.

It is our understanding that for many years prior to 1973 (perhaps dating back to the 1950's), the property was zoned commercial; thus, the commercial zone may indeed have been in place for the Property for as long as 60 years.

No physical changes or usage is contemplated for the Property. The Society simply requests that the former commercial zone established perhaps 60 years ago (which continued unchanged until the new Zoning Code became effective on November 25, 2010) be reinstated so that the Society may continue its worthwhile nonprofit community service of caring for and protecting homeless cats.

Thank you for considering our request.

The National Cat Protection Society

PA2011-014 for GP2011-002 CA2011-003 LC2011-001
6904 West Coast Highway
The National Cat Protection Society

IF GRANTED, NOT EFFECTIVE
UNTIL 15 DAYS AFTER DATE
OF GRANT.

USE PERMIT APPLICATION
ORD. NO. 435 SECT. NO.
CITY OF NEWPORT BEACH
APPLICATION FEE \$10.00

NO. 353

DATE: 8/6/57

INSTRUCTIONS: (READ CAREFULLY) THE APPLICANT OR HIS LEGAL REPRESENTATIVE MUST BE PRESENT AT ALL MEETINGS. HE WILL OUT THIS APPLICATION COMPLETELY. It MUST be accompanied by a plot plan in duplicate, drawn to scale, and with correct dimensions, showing in detail all boundaries, existing buildings, proposed alterations and additions. The Applicant must sign the "Use Permit" within thirty (30) days after granting.

1. Dr Robert Nevin 6901-6904 Pacific Coast Hwy
Applicant Address Involved

2. LOTS 345617 BLOCK 9 SECTION _____ TRACT Section 14 ZONE C-2

3. HEARING DATE AUG 22, 1957 TIME 8:00 PM

4. Application is hereby made for a Use Permit from Section 9103.52(a) to permit:

USE MAINTENANCE OF AN ANIMAL HOSPITAL FOR PETS

There are 2 sheets attached to and made a part of this Application. I hereby certify that the foregoing statements, maps, drawings, plans and specifications attached hereto are true and correct. If granted this Use Permit will not adversely affect persons residing or working in the neighborhood. I further consent to any permit issued in reliance thereon being null and void in the event they are not true and correct.

Dr Robert Nevin 2433 Dallas St. Newport Beach, Calif. 92650
Signature of Owner or Applicant Home Address Phone

FOR DEPARTMENTAL USE ONLY PLANNING COMMISSION ACTION
In accord with Section _____ A Use Permit is hereby GRANTED the above Applicant subject to requirements of all governmental agencies having jurisdiction and subject to the following:

The applicant must improve his property in accordance with the plans submitted with his application.

The undersigned hereby agrees to all the above conditions.

Dr Robert Nevin
Signature of Grantee

DATES: Filed 8/6/57 Hearing 8/22/57 Published _____ Newspaper _____

FINDINGS OF PLANNING COMMISSION: The Committee reported that the applicant spend approximately \$15,000 in the improvement of the building which is to be for an animal hospital. Recommendation of approval of the application was made subject to the above condition.

GRANTED- By City Planning Commission on the 22nd day of August 19 57
GRANTED- By the City Council on the _____ day of _____ 19 _____

Ray F. Copeland Secretary
Newport Beach City Planning Commission
Margery Schroeder City Clerk
Newport Beach, California

Use Permit #353

USE PERMIT APPLICATION
CITY OF NEWPORT BEACH

No. AMENDMENT TO #353
Application Rec'd by _____
Fee: \$150.00

Department of Community Development
Zoning and Ordinance Administration Division
3300 Newport Boulevard
Phone (714) 673-2110

Applicant (Print) DR. Robert B. NEVIN Phone 870-1074

Mailing Address P. O. Box 5328, FULLERTON, CALIF 92632

Property Owner SAME Phone _____

Mailing Address SAME

Address of Property Involved 209 Fern St. Newport Beach

Purpose of Application (describe fully) TO AMEND UP #353
TO EXCLUDE LOT 7.

Zone C-1 (R-2 approved) Present Use VACANT

Legal Description of Property Involved (if too long, attach separate sheet)
LOT 7, BLK 9 Seashore Colony Tract

OWNER'S AFFIDAVIT

(I) (We) _____ depose
and say that (I am) (we are) the owner(s) of the property(ies) involved in
this application. (I) (We) further certify, under penalty of perjury, that
the foregoing statements and answers herein contained and the information
herewith submitted are in all respects true and correct to the best of (my)
(our) knowledge and belief.

Signature(s) Robert B. Nevin

NOTE: An agent may sign for the owner if written authorization from the
record owner is filed with the application.

DO NOT COMPLETE APPLICATION BELOW THIS LINE

Date Filed _____ Fee Pd. _____ Receipt No. _____

Hearing Date 2/1/73 Publication Date _____

Posting Date 1/18/73 Mail Date 1/18/73

P. C. Action Approved 2/1/73

Date _____ Appeal _____

C. C. Hearing _____ C. C. Action _____

_____ Date _____

Use Permit # 353A

USE PERMIT APPLICATION
CITY OF NEWPORT BEACH
PLANNING DEPARTMENT
3300 Newport Boulevard
P.O. Box 1768
Newport Beach, CA 92658-8915
(714) 644-3200

No. UP 353 Amended
Application Rec'd by 122
Fee: \$ 970.00

And additional notice to Aram Chakrabarti
3 Mercato Laguna Niguel, Ca 92677
Public
APPLICANT (Print) National Cat Protection Soc. PHONE 910-434-5162
MAILING ADDRESS 1525 West 17th St. Long Beach, CA 90613
PROPERTY OWNER Same PHONE _____
MAILING ADDRESS Same
ADDRESS OF PROPERTY INVOLVED 6702 W Coast Highway
PURPOSE OF APPLICATION (describe fully) Amend previously approved
UP 353 to allow additional signage
signage. Modification also needed for new
construction for new road sign. Sign required for
new sign. Network, to replace existing sign.
ZONE SP-4 PRESENT USE Animal Hospital (previous)

LEGAL DESCRIPTION OF PROPERTY INVOLVED (if too long, attach separate sheet):

lots 3, 4, 5 & Block 9, 51/2 Mile Colony Tract, located at the
Northwest corner of West Coast Highway and Red Street
in Newport Beach.

OWNER'S AFFIDAVIT

(I) (We) NATIONAL CAT PROTECTION SOC. depose and say that (I am) (we are)
the owner(s) of the property(ies) involved in this application. (I) (We) further certify, under penalty of
perjury, that the foregoing statements and answers herein contained and the information herewith
submitted are in all respects true and correct to the best of (my) (our) knowledge and belief.

Signature(s) Robert P. Chakrabarti, V.P.
Robert A. Chakrabarti

NOTE: An agent may sign for the owner if written authorization from the record owner is filed with
the application.

DO NOT COMPLETE APPLICATION BELOW THIS LINE

Date Filed 3/1/94 Fee Pd. 970.00 Receipt No. R 37151
Hearing Date 4/2/94 PAID
Posting Date 3/1/94 Mail Date 3/1/94 MAR 14 1994
P.C. Action Approved Date 4/1/94 NEWPORT BEACH
Appeal _____ C.C. Hearing _____
C.C. Action _____ Date _____

CITY OF NEWPORT BEACH

April 7, 1994

ROLL CALL

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RIDGEWAY
 POMEROY
 MEERHILL
 GLOVER
 GIFFORD
 EDWARDS
 DE SAND

APPLICANTS: Newport Via Lido Associates and 503 Lido Partners, Ltd., Orange and Newport Beach

OWNERS: Same as applicants

James Hewicker, Planning Director, requested that this item be continued to the Planning Commission meeting of April 21, 1994, so as to allow additional time to resolve concerns regarding the off-street parking agreement.

Motion
 Ayes
 Absent

* * * * *
 * * * * *
 * * * * *

Motion was made and voted on to continue Item No. 2 to the April 21, 1994, Planning Commission meeting. MOTION CARRIED.

Use Permit No. 353 (Amended) (Public Hearing)

Item No. 3

Request to amend a previously approved use permit that permitted the establishment of an animal hospital on property located in the commercial area of the Newport Shores Specific Plan Area. The proposed amendment involves a request to change the previous animal hospital use to a cat care and boarding facility and to permit alterations and additions to the existing building in conjunction with the change in use. The proposal also includes a modification to the Zoning Code so as to allow the proposed building addition to encroach 2 feet into the required 5 foot rear yard setback adjacent to residentially classified property.

UP 153 (A)

Approved

LOCATION: Lots 3-6, Block 9, Seashore Colony Tract, located at 6902 West Coast Highway, on the northwesterly corner of Fern Street and West Coast Highway, in the Newport Shores Specific Plan Area.

ZONE: SP-4

COMMISSIONERS

MINUTES

DI SANO
EDWARDS
GLOVER
GIFFORD
MERRILL
POMEROY
RIDUEWAY

CITY OF NEWPORT BEACH

April 7, 1994

ROLL CALL

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APPLICANT: National Cat Protection Society, Long Beach

OWNER: Same as applicant

The public hearing was opened in connection with this item, and Mr. Richard Tanzer, Attorney, 3345 Wilshire Boulevard, Los Angeles, appeared before the Planning Commission on behalf of the applicant. Mr. Tanzer requested a clarification of Condition No. 7, Exhibit "A", regarding Coastal Commission approval prior to the issuance of a building permit. James Hewicker, Planning Director, suggested that the applicant contact the Coastal Commission regarding a clarification inasmuch as the Coastal Commission requires the approval and not the City. Mr. Tanzer referred to Condition No. 5, Exhibit "A", and he indicated that the 15 foot radius corner cut-off currently exists.

Commissioner Edwards recommended that "as necessary" be added to aforementioned Condition No. 7. Mr. Tanzer concurred with the modification. Commissioner Edwards and Mr. Tanzer discussed the 2 foot encroachment into the 5 foot rear yard setback adjacent to the residential property.

There being no others desiring to appear and be heard, the public hearing was closed at this time.

Motion
Ayes
Absent

* * * * *
* Motion was made and voted on to approve Use Permit No. 353 (Amended) subject to the findings and conditions in Exhibit "A", and modify Condition No. 7 to state that *the applicant as necessary, shall obtain Coastal Commission approval...* MOTION CARRIED.

Findings:

1. That the proposed application is consistent with the Land Use Element of the General Plan and the Local Coastal Program Land Use Plan, and is compatible with surrounding land uses.

COMMISSIONERS

MINUTES

CITY OF NEWPORT BEACH

April 7, 1994

ROLL CALL

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2. That adequate parking exists on-site for the proposed development.
3. That the change in the operational characteristics of the subject facility will not have any significant environmental impact.
4. That the additions to the animal hospital will be insulated in such a manner as to restrict animal noises to the interior of the facility.
5. That any noise that might have previously been associated with barking dogs will be eliminated, inasmuch as the proposed change in use is associated solely with the boarding and care of cats, and that such use will be confined to the interior of the building.
6. That the proposed building encroachment into the required rear yard setback will not affect the flow of air and light to the adjoining residential property.
7. That the proposed rear yard setback encroachment is an extension of an existing building which currently maintains a rear yard setback of 3 feet.
8. That the approval of Use Permit No. 353 (Amended) will not, under the circumstances of this case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing and working in the neighborhood or be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City, and further that the proposed modification to the Zoning Code to allow the proposed building to encroach 2 feet into the required 5 foot rear yard setback is consistent with the legislative intent of Title 20 of the Newport Beach Municipal Code.

DI SANO
EDWARDS
GIFFORD
GLOYER
MERRILL
POMEROY
RIDGEWAY

CITY OF NEWPORT BEACH

April 7, 1994

ROLL CALL

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Conditions:

1. That the proposed development shall be in substantial conformance with the approved plot plan, floor plan and elevations, except as noted below.
2. That the expanded animal hospital shall be insulated in such a manner as to restrict animal noises to the interior of the facility.
3. That air conditioning shall be installed and operable at all times. Exterior doors and windows shall be kept closed.
4. That the existing trash enclosure be relocated within the project so as not to interfere with the usage of the parking area.
5. That a 15 foot radius corner cut-off be dedicated to the public at the corner of Fern Street and West Coast Highway in conjunction with the proposed project prior to the issuance of a building permit, unless otherwise approved by the Public Works Department.
6. That a lot line adjustment to combine the subject lots into a single parcel shall be recorded prior to the issuance of a building permit.
7. That the applicant as necessary, shall obtain Coastal Commission approval of this application prior to the issuance of a building permit.
8. That the Planning Commission may add or modify conditions of approval to this use permit, or recommend to the City Council the revocation of this use permit, upon a determination that the operation which is the subject of this use permit causes injury, or is detrimental to the health, safety, peace, morals, comfort, or general welfare of the community.

CITY OF NEWPORT BEACH

April 7, 1994

ROLL CALL

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9. That this use permit shall expire if not exercised within 24 months from the date of approval as specified in Section 20.80.090A of the Newport Beach Municipal Code.

* * *

Use Permit No. 3523 (Public Hearing)Item No. 4

Request to permit the establishment of a take-out restaurant facility specializing in baked food items, with incidental seating on property located in "Commercial Area 14" of the Harbor View Hills Planned Community, and a request to waive a portion of the required offstreet parking spaces.

UP3523Approved

LOCATION: Lot 1, Tract No. 9014, located at 2670 San Miguel Drive, on the southeasterly corner of San Miguel Drive and Ford Road, in the Newport Hills Commercial Center of the Harbor View Hills Planned Community.

ZONE: P-C

APPLICANT: McFadden's Bake Shoppe, Inc., Newport Beach

OWNER: The Irvine Company, Newport Beach

The public hearing was opened in connection with this item, and Mr. Earl Gibbs appeared before the Planning Commission on behalf of the applicant. He concurred with the findings and conditions in Exhibit "A".

There being no others desiring to appear and be heard, the public hearing was closed at this time.

Motion
Ayes
Absent

Motion was made and voted on to approve Use Permit No. 3523 subject to the findings and conditions in Exhibit "A". MOTION CARRIED.

EXISTING BUILDING
 10,400 S.F.
 PROPOSED ADDITION
 4,500 S.F.
 TOTAL PROPOSED
 14,900 S.F.
 ALLOWABLE FARE (10)



AC
 architecture

1000 N. BROADWAY, SUITE 100
 ANAHEIM, CA 92801
 (714) 771-1111
 www.acarchitecture.com

PROPOSED FLOOR PLAN ALTERATIONS
 NATIONAL CAT PROTECTION SOCIETY - NEWPORT BEACH FACILITY

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RELEVANT INFORMATION:

6908-6936 West Coast Highway

FOR PA2010-182

GP2010-002

CA2010-012

LC2010-002

ATTACHMENT No. PC 4

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12/6/10

Project Description and Justification

Frog House Zoning RT change to MU-V

Conform to 47 years of existing use. Property has been mixed use since the frog house retail started in 1962 and before. Residential home also exists on subject property.

Thank You

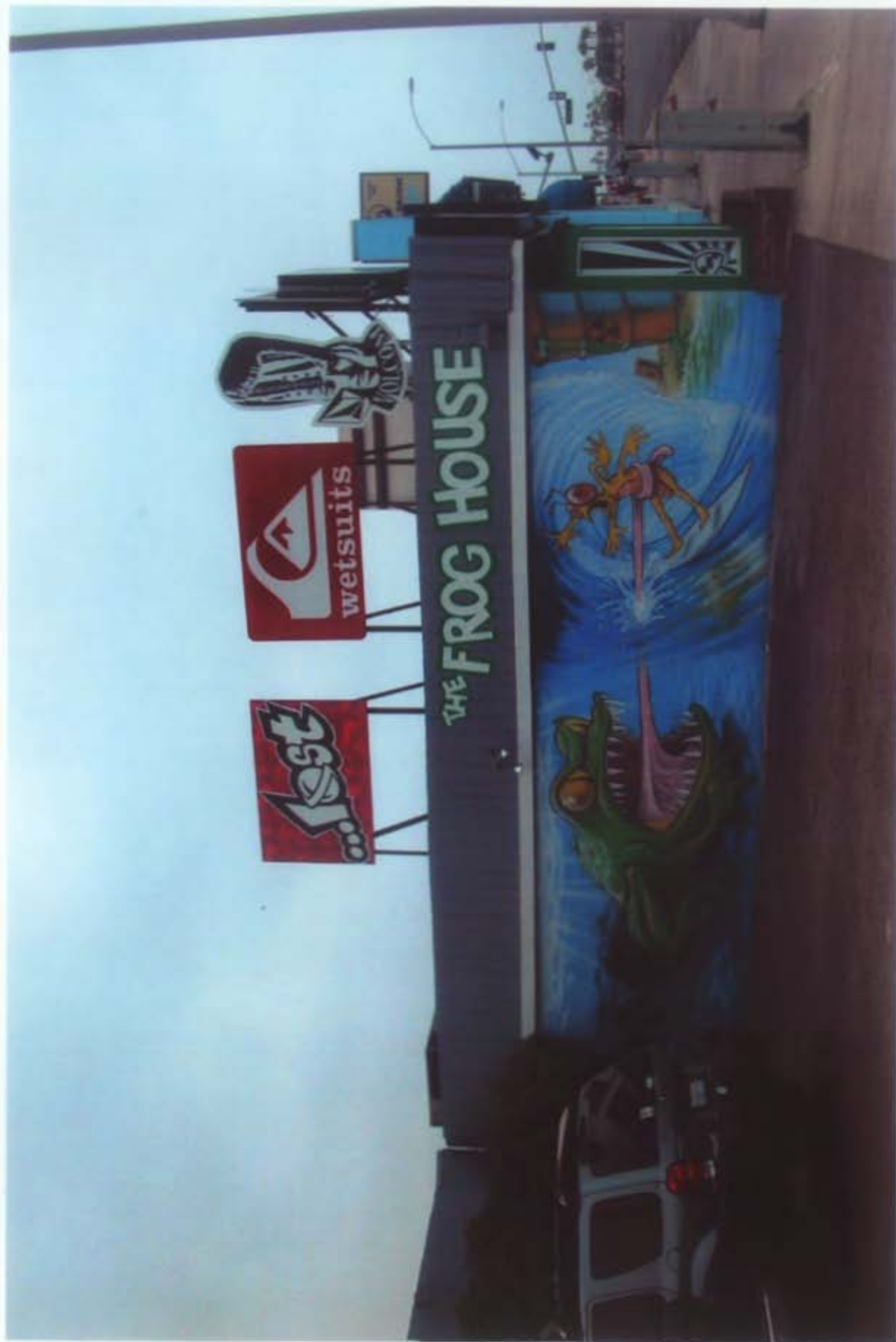
TK Brimer
Frog House

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6908-6936 West Coast Highway

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CITY CHARTER SECTION 423 ANALYSIS

ATTACHMENT No. PC 5

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Address	Existing Development	GP	Allowed Density	Allowed Intensity/floor area	Existing Traffic Land Use Description	Existing AM	Existing PM	Proposed GP	Proposed density	Proposed Intensity/Floor Area	Proposed Traffic Land Use Description	Proposed AM	Proposed PM	AM Change	PM Change	Total du changes	Total square footage changes
A. PREVIOUS APPROVAL- GENERAL PLAN AMENDMENT NO. GP2010-001 - STATISTICAL AREA B1																	
6306 W. Coast Highway	1,875-square-foot lot is fully developed with a single-story commercial office building.	RT	1	0	#230 - Residential/Condominium Townhouse (0.44AM/0.54PM trips per unit)	0.44	0.54	CV 0.5	0	937.50	Commercial blended rate per Council Policy A-18 (3.0 AM & 4.0 PM trips per 1,000sf)	2.81	3.75	2.37	3.21	-1	937.50
6308 W. Coast Highway	2,250-square-foot lot is fully developed with a two-story commercial office building.	RT	2	0	#230 - Residential/Condominium Townhouse (0.44AM/0.54PM trips per unit)	0.88	1.08	CV 0.5	0	1,125.00	Commercial blended rate per Council Policy A-18 (3.0 AM & 4.0 PM trips per 1,000sf)	3.38	4.50	2.50	3.42	-2	1,125.00
6310 W. Coast Highway	2,250-square-foot lot is fully developed with a single-story restaurant (Big Belly Deli)	RT	2	0	#230 - Residential/Condominium Townhouse (0.44AM/0.54PM trips per unit)	0.88	1.08	CV 0.5	0	1,125.00	Commercial blended rate per Council Policy A-18 (3.0 AM & 4.0 PM trips per 1,000sf)	3.38	4.50	2.50	3.42	-2	1,125.00
SUBTOTAL STATISTICAL AREA B1-A						2.20	2.70		0	3,187.50		9.56	12.75	7.36	10.05	-5	3,187.50
80% of Proposed Intensity- FAR										2,550.00		7.65	10.2	5.89	8.04	-4	2,550.00
B. GENERAL PLAN AMENDMENT NO. GP2010-013 - STATISTICAL AREA B1																	
6480 W. Coast Highway, APN 045-083-15 (Map ID 1)	4,136-square-foot lot is developed with a 1,800 square foot, single-story commercial building.	RT	2	0.00	#230 - Residential/Condominium Townhouse (0.44AM/0.54PM trips per unit)	0.88	1.08	CV 0.5	0	2,068.00	Commercial blended rate per Council Policy A-18 (3.0 AM & 4.0 PM trips per 1,000sf)	6.20	8.27	5.32	7.19	-2	2,068.00
SUBTOTAL STATISTICAL AREA B1-B						0.88	1.08		0	2,068.00		6.20	8.27	5.32	7.19	-2	2,068.00
C. GENERAL PLAN AMENDMENT NO. GP2011-002 - STATISTICAL AREA B1																	
6904 W. Coast Highway, APN 424-432-07 (Map ID 2)	The National Cat Society, 5,948 square foot lot developed with a 4,401 square foot single-story commercial building.	RT	2	0.00	#230 - Residential/Condominium Townhouse (0.44AM/0.54PM trips per unit)	0.88	1.08	CV 0.5	0	4,474.00	Commercial blended rate per Council Policy A-18 (3.0 AM & 4.0 PM trips per 1,000sf)	13.42	17.90	12.54	16.82	-2	4,474.00
SUBTOTAL STATISTICAL AREA B1-C						0.88	1.08		0	4,474.00		13.42	17.90	12.54	16.82	-2	4,474.00
D. GENERAL PLAN AMENDMENT NO. GP2010-002 - STATISTICAL AREA B1																	
6908 W. Coast Highway, APN 424-432-06 (Map ID 3)	THE FROG HOUSE, 1,835-square-foot lot developed with a single-story commercial building	RT	1	0.00	#230 - Residential/Condominium Townhouse (0.44AM/0.54PM trips per unit)	0.44	0.54	CV 0.5	0	917.50	Commercial blended rate per Council Policy A-18 (3.0 AM & 4.0 PM trips per 1,000sf)	2.75	3.67	2.31	3.13	-1	917.50
6936 W Coast Highway, APN 424-432-10 (Map ID 5)	2,278 square-foot lot developed with a portion of a single-story residence	RT	2	0.00	#230 - Residential/Condominium Townhouse (0.44AM/0.54PM trips per unit)	0.88	1.08	CV 0.5	0	1,139.00	Commercial blended rate per Council Policy A-18 (3.0 AM & 4.0 PM trips per 1,000sf)	3.42	4.56	2.54	3.48	-2	1,139.00
6900 W Coast Highway, APN 424-432-05 (Map ID 4)	2,165 square-foot lot developed with a portion of a single-story residence	RT	2	0.00	#230 - Residential/Condominium Townhouse (0.44AM/0.54PM trips per unit)	0.88	1.08	CV 0.5	0	1,082.50	Commercial blended rate per Council Policy A-18 (3.0 AM & 4.0 PM trips per 1,000sf)	3.25	4.33	2.37	3.25	-2	1,082.50
SUBTOTAL STATISTICAL AREA B1-D									0	3,139.00		9.4	12.6	7.22	9.86	-5	3,139.00
TOTAL STATISTICAL AREA B1										12,231.00		36.69	48.92	30.97	41.90	-13	12,231.00

P. ARNSEN BLAKELY*
JOSEPH MANCINI
NOEL K. TORGERSON*
PAUL K. WATKINS*

*A PROFESSIONAL CORPORATION

LAW OFFICES OF
**WATKINS, BLAKELY &
TORGERSON, LLP**

SUITE 810
535 ANTON BOULEVARD
COSTA MESA, CALIFORNIA 92626-7047
TELEPHONE (714) 556-0800
FACSIMILE (714) 641-4012

March 28, 2011

Correspondence
Item No. 3a
West Newport Amendments
PA2010-182, PA2010-190, and
PA2011-014

AUTHOR'S EXTENSION 2108

AUTHOR'S E MAIL ADDRESS:
paul@lawfriend.com

<http://www.lawfriend.com>

File No. 11-017429

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MAR 28 2011

BY HAND DELIVERY

CITY OF NEWPORT BEACH

Earl McDaniel, Chairman
City of Newport Beach Planning Commission
Community Development Department
Planning Division
3300 Newport Boulevard
Newport Beach, California 92663

**RE: The National Cat Protection Society, a California nonprofit corporation;
6904 West Coast Highway, Newport Beach, California 92663;
APN 424-432-07; General Plan Amendment to Change Zoning from R-2
(Two-Unit Residential) to MU-V (Mixed-Use Vertical)**

Dear Chairman McDaniel:

I. Background

Our law firm represents The National Cat Protection Society, a California nonprofit corporation (the "Society").

The Society owns and occupies a commercial building located at 6904 West Coast Highway, Newport Beach, California 92663 (the "Property").

Enclosed for your information is a series of pictures of the Property.

The Society has cared for and protected homeless cats at the Property for over eighteen (18) years without incident, noise, or community disruption of any kind. The Society (and its commercial operation) has truly been a model citizen.

We believe that until recently the Property was assigned a commercial zone dating back to the 1950's – perhaps as long as 50 years.

MAR 28 2011

Earl McDaniel, Chairman
Newport Beach Planning Commission
March 28, 2011
Page 2

CITY OF NEWPORT BEACH

When the new Zoning Code became effective on November 25, 2010, the old mixed use zone (including commercial) for the Property (SP-4) was replaced with a new residential zone (R-2, Two-Unit Residential).

It is our understanding that under the General Plan, the zoning for the Property and several others fronting PCH was changed to an R-2 zone with the thought that when the properties were redeveloped in the future, the highest and best use would be residential. Then, in light of the Council's decision to abate all non-conforming uses in 2008, the Property was designated for abatement. (Please see the enclosed letter dated January 14, 2011 from James Campbell, Acting Planning Director, Planning Department, City of Newport Beach.) As indicated in the letter, the Society was instructed to abate the non-residential use of the Property by November 25 of this year.

On January 26, 2011, the Society filed an Application for a General Plan Amendment to restore a commercial zone for the Property.

I am also enclosing a letter dated March 17, 2011 from the Newport Beach Chamber of Commerce supporting the reinstatement of the commercial zone.

II. What is the Society Requesting?

We understand from Mr. Jay Garcia (Senior Planner) that the Planning Division of the Community Development Department has recommended that the Property be rezoned MU-V (Mixed-Use Vertical) and that the Society's current use of caring for and protecting homeless cats be permitted to continue under the MU-V Zoning District.

The Society requests the zone modification to MU-V (Mixed-Use Vertical) and supports the staff recommendation. As you know, Section 20.22.010A (MU-V [Mixed-Use Vertical] Zoning District) describes the permitted uses of this zoning classification as follows:

"20.22.010 – Purposes of Mixed-Use Zoning Districts

- A. **MU-V (Mixed-Use Vertical) Zoning District.** This zoning district is intended to provide for areas appropriate for the development of mixed-use structures that vertically integrate residential dwelling units above the ground floor with retail uses including office, restaurant, retail, and similar nonresidential uses located on the ground floor or above."

The Society does not presently use the Property for residential purposes, but the MU-V (Mixed-Use Vertical) zone modification would appear to offer the Society more flexibility (combining usage for both commercial and residential purposes) in the use of the Property (including a continuation of the

MAR 28 2011

Earl McDaniel, Chairman
Newport Beach Planning Commission
March 28, 2011
Page 3

CITY OF NEWPORT BEACH

current commercial use), and the Society therefore supports the staff recommendation of the General Plan Amendment to MU-V (Mixed-Use Vertical).

Thank you for considering our application.

Sincerely,



Paul K. Watkins for
Watkins, Blakely & Torgerson, LLP

Enclosures
PKW:jbag

cc: Ms. Denise Johnston
Mr. Richard Tanzer



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MAR 28 2011

CITY OF NEWPORT BEACH

**NATIONAL
CAT PROTECTION
SOCIETY**
ALWAYS BE KIND
TO YOUR PET

FERN ST

6904

ENTER

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MAR 28 2011
CITY OF NEWPORT BEACH

6904

ENTER





PLANNING DEPARTMENT

3300 Newport Boulevard, Building C, Newport Beach, CA 92663
(949) 644-3200 Fax: (949) 644-3229 website: www.newportbeachca.gov

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MAR 28 2011

CERTIFIED MAIL

CITY OF NEWPORT BEACH

January 14, 2011

National Cat Protection Society
6902 West Coast Hwy
Newport Beach, CA 92663

**RE: Termination of a non-conforming use in a residential district
6904 West Coast Hwy (424-432-07)**

Dear Property Owner,

On October 26, 2010, the City Council adopted a comprehensive update of the City's Zoning Code. The Zoning Code was prepared to implement the land use and development policies of the 2006 General Plan, which includes the change of a number of commercial properties to residential uses. As a result, the zoning classification for the property located at 6904 West Coast Hwy changed from SP-4 (Commercial) to R-2 on November 25, 2010 (see enclosed map).

The Zoning Code establishes the maximum time period for the abatement and termination of nonconforming uses in residential districts. Section 20.38.100.C.1 requires any nonconforming use of land involving a structure to be discontinued (1) within one year of the effective date of the Zoning Code, (2) at the expiration of the term of a lease on the property, or (3) at the expiration of any operating license that is required by State law, whichever is earliest.

The Planning Department has investigated the current use of the property at 6904 West Coast Hwy. The current non-residential use is no longer a permitted use under the R-2 Zoning District. Therefore, the current use is a nonconforming use and is subject to abatement and must be discontinued on or before November 25, 2011.

The Planning Department would like to make this transition as trouble-free as possible. We are prepared to meet with you to discuss possible options, which include:

- Conversion of the use of the property or redeveloping the property to a residential use.
- Requesting a time extension of the abatement period.
- Requesting amendments to the General Plan and Zoning Code continue the non-residential use of the property.

The Zoning Code includes provisions through which a property owner may request an extension of the abatement period to amortize the property owner's investment to avoid an unconstitutional taking of property. Through this process, the City evaluates evidence of economic hardship arising from abatement, the nonconformity's impact on the community, and other factors that may affect the length of the abatement period required. If you wish to apply for an extension of the abatement of the use of this property, you may apply at the City Planning Department no later than 90 days prior to the expiration of the abatement period (August 27, 2011).

Please feel free to contact me at 949-644-3228 or JCampbell@newportbeachca.gov if you have any questions.

Sincerely,



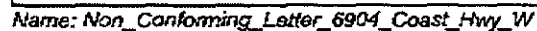
James Campbell
Acting Planning Director

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MAR 28 2011

CITY OF NEWPORT BEACH

Enclosures: Abatement Period Extension Application
Zoning District Map





**NEWPORT BEACH
CHAMBER OF COMMERCE**

Building on a Century of Service

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MAR 28 2011

CITY OF NEWPORT BEACH

March 17, 2011

Earl McDaniel, Chair
Planning Commission
City of Newport Beach
3300 Newport Boulevard
Newport Beach, California 92663

RE: The National Cat Protection Society, a California nonprofit corporation;
6904 West Pacific Coast Highway, Newport Beach, California 92663

Dear Chairman McDaniel:

The Newport Beach Chamber of Commerce ("NBCC") is an association which represents over 700 business owners and operators in Newport Beach.

The National Cat Protection Society (the "Society") has been caring for and protecting homeless cats at 6904 West Pacific Coast Highway (the "Property") for over 18 years.

When the new Zoning Code became effective on November 25, 2010, the old commercial zoning (SP-4) was replaced with new residential zoning (R-2, Two-Unit Residential).

It is my understanding that under the General Plan, the Society's Property and several others along PCH were changed to R-2 with the thought that when the properties were redeveloped in the future, the highest and best use would be residential. Then, in light of the Council's decision in 2008 to abate all non-conforming uses, the Society's Property became a target for abatement.

The Society (and its commercial operation) has been a model citizen in West Newport Beach since 1993. It has cared for and protected homeless cats without incident, noise, or community disruption of any kind.

We believe that the Society's proposed General Plan Amendment to revise the zoning from R-2 (Two-Unit Residential) to CG (General Commercial) (which would reinstate the commercial zone in place for at least the past 38 years) is well taken.

The Newport Beach Chamber of Commerce supports this General Plan Amendment for the Society's Property.

Sincerely,

Richard R. Luehrs,
President

Burns, Marlene

West Newport Amendments

From: Omar Masry | PA2010-182
Sent: Tuesday, March 29, 2011 3:39 PM PA2010-190
To: Garcia, Jay; Campbell, James; Burns, Marlene PA2011-014
Subject: Newport Beach Planning Commission Letter (Omar Masry)
Attachments: Newport Beach Planning Commission Letter (Omar Masry).pdf

Good afternoon.

Please convey my correspondence (attached) to the members of the Planning Commission and the project applicants.

Regards,

--

Omar Masry

March 29, 2011

Newport Beach Planning Commission
3300 Newport Boulevard
Newport Beach, CA 92663

Dear Commissioner(s):

I would like to take a moment to convey my strong support for the proposed General Plan Amendment and Zone Change for the following properties:

- ❖ 6904 West Coast Highway
- ❖ 6908-6936 West Coast Highway
- ❖ 6480 West Coast Highway

As a resident of the Newport Shores neighborhood I believe these changes will ensure reasonably appropriate uses remain within the neighborhood; ensure a fair business climate for small business; and demonstrate a good faith attempt by the City to remedy what appears to be a deficiency in the application/interpretation of the non-conformity provision of the City's Municipal Code.

Looking forward, I would hope to see the City Council and Planning Commission revisit its treatment of non-conforming uses (through updates of the Zoning Code and clear direction to staff) to allow for more reasonable flexibility so that GPA/ZC's such as the proposed do not need to occur as often.

For example: I would hope to see that a non-conforming business such as the Frog House Surf Shop (assuming no GPZ/ZC took place) is allowed to remain in business as long as the business remained safe, habitable, and in continuous operation with no more than a 12 month gap between approval of active business licenses. Specifically, business owners should feel confident that the business could be sold to a new owner who could continue the "use" so long as the project complied with its original conditions and was not deemed a nuisance.

As a separate matter, I understand that Cucina Alessa (a fine dining Italian restaurant) located at 6700 West Coast Highway is considering, or has applied for, a change of use to allow for the serving of liquor in addition to it's current beer and wine license. I live close enough to see this restaurant from my window and have been impressed with both the cuisine, as well as its positive impact on the neighborhood (absence of noise, loitering, etc.).

Newport Beach Planning Commission
GPA/Z Support Letter
March 29, 2011

I support such a proposal on the condition that the restaurant upgrade it's existing can sign to one that does not feature any illuminated sign panel background. For example, a sign composed of reverse halo LED illuminated individual channel letters would be a positive aesthetic improvement that would reflect well upon the restaurant and surrounding neighborhood.

I appreciate your consideration. Please convey my correspondence to the applicants and Planning Commission.

Regards,

Omar Masry

Burns, Marlene

West Newport Amendments

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 3:12 PM
To: Burns, Marlene
Subject: FW: Please let the Froghouse stay!

PA2010-182

PA2010-190

PA2011-014

Categories: Red Category

From: Chad Penry [<mailto:chadpenry@gmail.com>]

Sent: Wednesday, March 30, 2011 8:37 PM

To: cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com

Subject: Please let the Froghouse stay!

Hello All,

We politely ask you make the right decision and allow the Froghouse to stay in Newport. It is a staple and historical surf shop for California but specifically for Newport Beach.

Best Regards,

Chad

Chad Penry

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 3:12 PM
To: Burns, Marlene
Subject: FW: Please save the Frog House!

From: sarah@a-enviro-solutions.com [mailto:sarah@a-enviro-solutions.com] **On Behalf Of** Sarah Kincaid
Sent: Wednesday, March 30, 2011 2:36 PM
To: Earl McDaniel; Charles Unsworth; Micheal Toerge; Barry Eaton; Robert Hawkins; Bradly Hillgren; Fred Ameri
Subject: Please save the Frog House!

Dear Commissioner,

I know you have difficult decisions to make. I respectfully ask that you decide to save the Frog House. I grew up nearby, and still visit Newport often. The Frog House is a big draw to the area. Please save this wonderful place.

Sincerely,
Sarah Kincaid

--
Sarah Kincaid
Administrator
A+ Environmental Solutions, LLC
Web: www.envir-solutions.com
Email: Sarah@envir-solutions.com
6898 Soquel Avenue
Santa Cruz, CA 95062
Phone: 831-476-9200
Fax: 831-475-5322

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 3:05 PM
To: Burns, Marlene
Subject: FW: Save The Frog House

From: Phillip Rhyu [<mailto:phillip.rhyu@gmail.com>]
Sent: Wednesday, March 30, 2011 11:09 AM
To: rhawkins@earthlink.net
Subject: Save The Frog House

Dear Mr. Robert Hawkins,

Please change the zoning laws in Newport Beach, CA to save the Frog House. This is a landmark for surfers of California. The friendliest people and help people get into sport of surfing / water sports. I can remember going to the Frog House every since I started surfing. Thank you for your time and consideration.

Sincerely,
Phillip S. Rhyu

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 3:04 PM
To: Burns, Marlene
Subject: FW: The Frog House

From: Arne Beckman [<mailto:Arne@casterranch.com>]
Sent: Wednesday, March 30, 2011 3:13 PM
To: cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com; emcdaniel@sunwestbank.com
Subject: The Frog House

Dear City of Newport Beach,

As a former resident of Newport and Costa Mesa I would ask that the Frog House surf shop be allowed to stay and flourish. Many of us who grew up in the area got our first surfboards from there. Even after moving to Dana Point I would still drive to the Frog House for my boards and other supplies.

Even my grandparents (the late Dr Arnold O and Mabel Beckman) would shop for my brother and I there!

Please approve the zoning request and amendment to allow the greatest surf shop on the west coast to continue on.

Sincerely,

Arnold W Beckman
1358 Terrace Dr
Bullhead City, AZ 86442
Phone: 928-444-8106

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 3:04 PM
To: Burns, Marlene
Subject: FW: Please save The Frog House

From: Amanda McCann [<mailto:ammccann@hotmail.com>]
Sent: Wednesday, March 30, 2011 3:22 PM
Subject: Please save The Frog House

Hello,

I am writing to request you take into consideration the importance of The Frog House on the community. I have lived in Newport for the past 22 of my 29 years of life and cannot remember a time without it. It truly is a landmark and has positively represented our city for many years, and I would be so very sad to see this wonderful local business go. Please allow the zoning change and let The Frog House live on for future generations to enjoy as much as I have.

Thank you so much for your time and consideration.

Warmest Regards,

Amanda McCann
Newport Beach resident

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 3:03 PM
To: Burns, Marlene
Subject: FW: FrogHouse

From: zundholzer@aol.com [<mailto:zundholzer@aol.com>]
Sent: Wednesday, March 30, 2011 5:55 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: FrogHouse

Please save the Frog House, it is considered at least in my family a landmark that needs not be disturbed. Please understand that I also value the upgrade of Newport Beach for the future, but please instead consider a facelift for the building. i would hate not to share this part of my wife and I youthful history with our children.

Thank you for your consideration in the matter
sincerely
Thomas and Tracey McGee

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 3:03 PM
To: Burns, Marlene
Subject: FW: My reason for traveling to NEwport Beach

-----Original Message-----

From: Daniel [<mailto:danielgbenson@gmail.com>]
Sent: Wednesday, March 30, 2011 4:33 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com;
strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net;
bhillgren@highrhodes.com; ameri@rbf.com
Subject: My reason for traveling to NEwport Beach

It is alarming that an institution that should be marked for inclusion as a historical site is being so severely threatened. I make regular pilgrimage to The Frog House from northern California. I have been doing this for decades, as do many others. But really...Newport Beach without The Frog House? Why bother.

I am very distressed to discover that The Frog House is still struggling to win this fight to exist. I first shopped at The Frog House in the early 70's, and though I do not live in the area now, I still make regular visits to The Frog House when I have a need for supplies. To tell you the truth, it is one of the last reasons I have to visit Newport Beach - or Orange County, for that matter. But I do because The Frog House is such a huge part of my personal history. Of course, there are many more like me. Please do not let this beacon of what so much of Newport Beach stands for be taken away. If the city must get involved, why not figure a way to cash-in on its iconic success. Newport Beach without The Frog House? Preposterous.

Daniel Benson

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 3:03 PM
To: Burns, Marlene
Subject: FW: Frog House

-----Original Message-----

From: george kent [<mailto:gorch310@aol.com>]
Sent: Wednesday, March 30, 2011 9:36 PM
To: rhawkins@earthlink.net
Subject: Frog House

Please find a way to keep the Frog House in it's location. I got my first board at the Frog House back in '81 still go there today!

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 2:59 PM
To: Burns, Marlene
Subject: FW: Frog House

-----Original Message-----

From: jbrimers@aceweb.com [mailto:jbrimers@aceweb.com]
Sent: Thursday, March 31, 2011 10:14 AM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: Frog House

TO the Newport Planning Commission:

Dear Commishioner,

You will be meeting soon to determine the fate of the Frog House Surf Shop in Newport Beach. I urge you to let the Frog House continue in the location it has occupied for these many years.

The Frog House is world famous and is a real tourist draw to your community.

Sincerely,

Gerald A. Brimer
Las Vegas, NV
jbrimers@zceweb.com

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 2:57 PM
To: Burns, Marlene
Subject: FW: Frog house

From: Courtney Fletcher [<mailto:courtneyfletcher@gmail.com>]
Sent: Tuesday, March 29, 2011 10:31 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: Frog house

Dear members of the Newport planning commission,

Please keep the frog house where it is. It's an amazing place that brings the community together and is treasured by all those who have had the opportunity to take a visit. Thank you for your time, I hope you will consider how much this place means to us when making your decision.

Courtney Fletcher

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 2:57 PM
To: Burns, Marlene
Subject: FW: Kindly Consider the The Frog House

-----Original Message-----

From: Dandy O'Shea [<mailto:aliciamarble@mac.com>]
Sent: Tuesday, March 29, 2011 10:29 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com;
strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net;
bhillgren@highrhodes.com; ameri@rbf.com
Subject: Kindly Consider the The Frog House

Dearest Commissioners,

Please take careful and kind consideration while reviewing all matters regarding our local treasure, The Frog House. It is part of the landscape of West Newport, a welcome sign to visitors and home to locals. For years, it is a trusted resource where the always terrific TK and his great staff have provided us the wonderful tools to enjoy what is really makes our town so special - the ocean. Please consider that this shop is well loved and patronized. The Frog House is well maintained, managed and provides a valued service. There is something else about Newport that makes it special, there is no other place in the world like it. The Frog House is unique, The Frog House is Newport! I appreciate any time spent to take careful and loving consideration for a place that is sewn into the fabric of Newport, changing it will be pulling at the fabric of our wonderful local vibe. Please feel free to contact me should you like to discuss this The Frog House and the connection it has to our city.

Kind regards,

Dandy O'Shea
2 Spanish Bay Drive
Newport Beach, CA 92660
949-644-9990

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 2:56 PM
To: Burns, Marlene
Subject: FW: Please Save the Frog House

From: Sean Frink [<mailto:sfrink@carlsmith.com>]
Sent: Tuesday, March 29, 2011 10:08 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: Please Save the Frog House

Gentlemen:

As someone who was born Hoag Hospital in 1964, attended Mariners Elementary, Horace Ensign Junior High School, and NHHS, whose family still lives there, and who spent virtually every waking moment during the summer and school breaks down in Newport Shores, I think that I know it when I say that the Frog House is a Newport Beach institution deserving of exceptional consideration by your commission. Seriously, what remains of the old Newport from the 60's and early 70's, the "Big Wednesday" era golden age of surf companies? Gone is Russell Surfboards. Gone is the old Newport Surf and Sport. What old school surf companies remain?

Please save the Frog House.

It is truly a deserving of our respect and, in this case, some exceptional treatment by you.

Regards,

Sean Frink

Sean Frink
Partner | Carlsmith Ball LLP

P.O. BOX 5241 SAIPAN, MP 96950 (USA)
CARLSMITH BUILDING, ISA DRIVE, CAPITOL HILL, SAIPAN, MP 96950 (USA)
DIRECT: (670) 322-3455 **FAX:** (670) 322-3368 **WEB:** www.carlsmith.com **EMAIL:** sfrink@carlsmith.com

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Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 2:56 PM
To: Burns, Marlene
Subject: FW: please respect The Froghouse and let it remain where it is

From: michefish@aol.com [<mailto:michefish@aol.com>]
Sent: Tuesday, March 29, 2011 9:37 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: please respect The Froghouse and let it remain where it is

Hello, members of the City Council.

I live right by The Froghouse - in fact, I can see it from my house. In the time that I've lived here, I have heard only good things about our corner surf shop, and I've become friends with some of staff that have worked there for quite some time. The Froghouse is an honest surf shop where I'd recommend my brother or my friends to get a board. Places like The Froghouse are why I like living in this part of Newport Beach - we have a neighborhood here, nearly free of chain businesses. In a county rampant with HOA's, strip malls, and severely planned urban space, it's refreshing to see independent businesses like this one, especially so close to where I live, inhabit a space where there is some creative freedom. Plus, The Froghouse has so much surfing history.

From an urban planning perspective, I'm sure how the lot it's on would make for halfway decent residential space. (That also goes for homes in a similar spot along PCH.) I encourage you to reconsider and allow The Froghouse to stay right where it is at PCH and Grant.

Thank you so much for your time.

Michelle Giron
engineer and Newport Shore resident

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 2:56 PM
To: Burns, Marlene
Subject: FW: Frog House

-----Original Message-----

From: ropc@sbcglobal.net [mailto:ropc@sbcglobal.net]
Sent: Tuesday, March 29, 2011 9:31 PM
To: rhawkins@earthlink.net
Subject: Frog House

Pls save the Frog House! We are neighbors and appreciate their kindness and their expertise! We bought my hubby's board and suit from them. Nice to have such great people representing NB

Sent via BlackBerry by AT&T

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 2:55 PM
To: Burns, Marlene
Subject: FW: Froghouse

From: Austin Morrell [<mailto:thecrowing15@gmail.com>]
Sent: Tuesday, March 29, 2011 9:28 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: Froghouse

Please let the Froghouse stay!

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 2:55 PM
To: Burns, Marlene
Subject: FW: comment

From: Dean Koutzoukis [<mailto:dkoutzoukis@gmail.com>]
Sent: Tuesday, March 29, 2011 9:25 PM
To: rhawkins@earthlink.net
Subject: comment

Mr Hawkins

I urge you to give the Frog House a zoning variance or whatever is needed to allow the iconic Socal surfshop to remain in its present location. I have personally spent thousands of dollars there and your fine city has reaped the tax revenue from those dollars. If the Frog House goes so do my tax dollars.

Thank you

Dean Koutzoukis
Yorba Linda CA

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 2:55 PM
To: Burns, Marlene
Subject: FW: "SAVE THE FROGHOUSE" with some details

From: ROBERT LOMBARD [<mailto:robert@creativeimagemgmt.com>]
Sent: Tuesday, March 29, 2011 9:17 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; rhawkins@earthlink.net
Cc: bhillgren@highrohodes.com; amerci@rbf.com
Subject: "SAVE THE FROGHOUSE" with some details

Tuesday
March 29th
9:09 PM

Good evening Mr. Daniel, Mr. Unsworth, Mr. Toerge, Mr. Eaton, Mr. Hawkins, Mr. Hillgren, and Mr. Ameri

Writing to give you a bit of backstory regarding my experience with "The Frog House Surf Shop.

I started surfing at the age of 62 and TK and the crew have been supportive and encouraging for someone of my age starting out. NO OTHER SURF SHOPS in the Newport or Huntington Beach area other than 5th Street Surf, which folded due to the economy reached out with advice etc. NOT just trying to sell me something.

With that being said a shop like "The Frog House" should continue serving their customers and all should be grateful a small local surf shop has been able to retain their business in these trying times.

PLEASE allow them to stay..... Researching this store it appears they are more of an institution than just a retail business.

SAVE THE FROG HOUSE.

A supporter and customer,
Robert "The Old Surfer" Lombard
By the way I am now 65 years of age and still catching waves and "The Frog House" is my local shop.

--

ROBERT LOMBARD

310.248.3685

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<http://www.creativeimagemgmt.com>

Email sent from Home Base Computer

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 2:52 PM
To: Burns, Marlene
Subject: FW: Let the Frog House stay!

-----Original Message-----

From: aberg38@hotmail.com [<mailto:aberg38@hotmail.com>]

Sent: Tuesday, March 29, 2011 7:20 PM

To: rhawkins@earthlink.net

Subject: Let the Frog House stay!

I've been going to this locally owned surf shop for years, as have many others. It would be a massive stain on the City of Newport if you do not let them stay. Surf Culture is a major part of Newport, whether you like it or not. Please think about the history that you can save.

Sent on the SprintR Now Network from my BlackBerryR

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 7:05 AM
To: Burns, Marlene
Subject: Fw: Frog House

-----Forwarded Message-----

>From: george kent <gorch310@aol.com>

>Sent: Mar 30, 2011 8:36 PM

>To: rhawkins@earthlink.net

>Subject: Frog House

>

> Please find a way to keep the Frog House in it's location. I got my first board at the Frog House back in '81 still go there today!

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, March 31, 2011 7:04 AM
To: Burns, Marlene
Subject: Fw: Let the FrogHouse Stay

-----Forwarded Message-----

From: "C. Donovan"
Sent: Mar 30, 2011 9:29 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, trataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Let the FrogHouse Stay

Dear Commissioners:

I am sending you this email to show my support for TK and The Frog House's request to change zoning as required to allow them to remain in the same location it has been in for decades.

I was raised in Newport Shores, right next to The Frog House and have been in and out of the store for years. I believe it is part of the culture of Newport Beach and is an icon that is well worth preserving.

Additionally, there are many commercial locations on both sides of The Frog House, so I don't understand why there should be an issue in allowing them to stay in the location where they have been for over 40 years.

Sincerely,
Christine Donovan

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 9:24 PM
To: Burns, Marlene
Subject: Fw: Please let the Froghouse stay!

-----Forwarded Message-----

From: Chad Penry
Sent: Mar 30, 2011 7:37 PM
To: cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net, rhawkins@earthlink.net,
bhillgren@highrhodes.com, ameri@rbf.com
Subject: Please let the Froghouse stay!

Hello All,

We politely ask you make the right decision and allow the Froghouse to stay in Newport. It is a staple and historical surf shop for California but specifically for Newport Beach.

Best Regards,

Chad

Chad Penry

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 9:24 PM
To: Burns, Marlene
Subject: Fw: froghouse

-----Forwarded Message-----

From: nova bleckley
Sent: Mar 30, 2011 7:49 PM
To: "cwunsworth@roadrunner.com", "strataland@earthlink.net", "eaton727@earthlink.net",
"rhawkins@earthlink.net", "bhillgren@highrhodes.com", "ameri@rbf.com"
Subject: froghouse

I have worked at the Froghouse and let me say that it was the most memorable part of growing up in Newport Beach.

I have lived in Newport Shores for 20 years and it would not be the same without that business.

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 7:38 PM
To: Burns, Marlene
Subject: Fw: FrogHouse

-----Forwarded Message-----

From: zundholzer@aol.com
Sent: Mar 30, 2011 4:54 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: FrogHouse

Please save the Frog House, it is considered at least in my family a landmark that needs not be disturbed.
Please understand that I also value the upgrade of Newport Beach for the future, but please instead consider a
facelift for the building. i would hate not to share this part of my wife and I youthful history with our children.

Thank you for your consideration in the matter
sincerely
Thomas and Tracey McGee

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 7:38 PM
To: Burns, Marlene
Subject: Fw: My reason for traveling to NEwport Beach

-----Forwarded Message-----

>From: Daniel <danielgbenson@gmail.com>

>Sent: Mar 30, 2011 3:32 PM

>To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com

>Subject: My reason for traveling to NEwport Beach

>

>It is alarming that an institution that should be marked for inclusion as a historical site is being so severely threatened. I make regular pilgrimage to The Frog House from northern California. I have been doing this for decades, as do many others. But really...Newport Beach without The Frog House? Why bother.

>

>I am very distressed to discover that The Frog House is still struggling to win this fight to exist. I first shopped at The Frog House in the early 70's, and though I do not live in the area now, I still make regular visits to The Frog House when I have a need for supplies. To tell you the truth, it is one of the last reasons I have to visit Newport Beach - or Orange County, for that matter. But I do because The Frog House is such a huge part of my personal history. Of course, there are many more like me. Please do not let this beacon of what so much of Newport Beach stands for be taken away. If the city must get involved, why not figure a way to cash-in on its iconic success. Newport Beach without The Frog House? Preposterous.

>Daniel Benson

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 7:38 PM
To: Burns, Marlene
Subject: Fw: Please save The Frog House

-----Forwarded Message-----

From: Amanda McCann
Sent: Mar 30, 2011 2:22 PM
To:
Subject: Please save The Frog House

Hello,

I am writing to request you take into consideration the importance of The Frog House on the community. I have lived in Newport for the past 22 of my 29 years of life and cannot remember a time without it. It truly is a landmark and has positively represented our city for many years, and I would be so very sad to see this wonderful local business go. Please allow the zoning change and let The Frog House live on for future generations to enjoy as much as I have.

Thank you so much for your time and consideration.

Warmest Regards,

Amanda McCann
Newport Beach resident

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 7:37 PM
To: Burns, Marlene
Subject: Fw: The Frog House

-----Forwarded Message-----

From: Arne Beckman
Sent: Mar 30, 2011 2:12 PM
To: cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com, emcdaniel@sunwestbank.com
Subject: The Frog House

Dear City of Newport Beach,

As a former resident of Newport and Costa Mesa I would ask that the Frog House surf shop be allowed to stay and flourish. Many of us who grew up in the area got our first surfboards from there. Even after moving to Dana Point I would still drive to the Frog House for my boards and other supplies.

Even my grandparents (the late Dr Arnold O and Mabel Beckman) would shop for my brother and I there!

Please approve the zoning request and amendment to allow the greatest surf shop on the west coast to continue on.

Sincerely,

Arnold W Beckman
1358 Terrace Dr
Bullhead City, AZ 86442
Phone: 928-444-8106

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 7:37 PM
To: Burns, Marlene
Subject: Fw: Please save the Frog House!

-----Forwarded Message-----

From: Sarah Kincaid
Sent: Mar 30, 2011 1:35 PM
To: Earl McDaniel , Charles Unsworth , Micheal Toerge , Barry Eaton , Robert Hawkins , Bradly Hillgren , Fred Ameri
Subject: Please save the Frog House!

Dear Commissioner,

I know you have difficult decisions to make. I respectfully ask that you decide to save the Frog House. I grew up nearby, and still visit Newport often. The Frog House is a big draw to the area. Please save this wonderful place.

Sincerely,
Sarah Kincaid

--

Sarah Kincaid
Administrator
A+ Environmental Solutions, LLC
Web: www.envir-solutions.com
Email: Sarah@envir-solutions.com
6898 Soquel Avenue
Santa Cruz, CA 95062
Phone: 831-476-9200
Fax: 831-475-5322

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 2:07 PM
To: Burns, Marlene
Subject: FW: Frog House

From: Rudy Huebner [<mailto:rudy@rudyland.net>]
Sent: Wednesday, March 30, 2011 1:54 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: Frog House

Hello,

I am writing you in regards to the current situation concerning the Frog House. My name is Rudy; I live in Hawaii, but grew up in Huntington Beach. The Frog House, and especially TK and his crew, are truly unique in that they have created a haven of authenticity and camaraderie that is unlike anything I have found anywhere else. The Frog House has such a colorful history and is home to several generations of surfers; to lose this would be tragic. In my personal experience, when I began my journey as a surfer, TK sold me my first board and wetsuit. I soon found myself at the Frog House regularly, surfing out front with TK, Mikey and the boys, and talking story in the shop afterwards. The Frog House is more than just a surf shop; it's a gathering place where all are made welcome, from seasoned pros to humble beginners. Myself, and countless others, are so loyal to the Frog House that we simply won't shop anywhere else.

Allowing the Frog House to continue its operations is a great asset to the community, not only for locals, but for all the summer tourists who surf their first waves on Frog House rental boards. To deprive the community of all the Frog House has to offer would be a devastating loss; it's one of the last true, core surf shops around that hasn't been homogenized. The Frog House is a very special place, run by surfers, for surfers. From an outsiders perspective, our culture may seem hard to understand, but that doesn't make it any less sacred. Because of this, the Frog House can't be treated as just another standard retail location; it plays a critical role in local surf history and culture, and should be preserved for future generations. City of Newport, please let the Frog House stay.

Aloha,
R

--

Rudy Huebner
Graphic Design + Web Development + Photography
949/751-8799
<http://rudyland.net>

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 1:05 PM
To: Burns, Marlene
Subject: FW: Save the Froghouse

From: Matt Kelley [<mailto:mkelley@trusteecorps.com>]
Sent: Wednesday, March 30, 2011 10:15 AM
To: cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: Save the Froghouse

I support the Froghouse's request for a zoning change and an amendment to the General plan to allow the Froghouse to continue to do business and serve the city of Newport Beach as it has for many years. I am a resident of Newport Beach, And enjoy regularly shopping at their business and the events that they host, in addition to the proud culture that they promote. The Froghouse is an integral part of the culture and atmosphere which draws myself, as well as my friends and family, over and over again. Please approve this minor zoning request and amendment to allow a Newport Beach mainstay to continue to serve the city's residents and visitors. Thank you for your time and consideration.

I'll be in attendance at their hearing and look forward to seeing a positive outcome to this formality.

Matthew Kelley
Trustee Corps
17100 Gillette Avenue
Irvine, CA 92614
Office: 949.252.8300 ext-155
Fax: 949.252.8330
Cell: 949.310.9736

Offices in California Nevada Arizona

Trustee Corps (Freddie Mac and Fannie Mae Processing Office)
2112 Business Center Drive
2nd Floor – Suite 201
Irvine, CA 92612

Fannie Mae Retained Counsel in CA, NV & AZ Freddie Mac Designated Counsel in CA, NV & AZ
Default services in CA, NV, AK, AZ, ID, MT, OR, HI, TX & WA

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 1:05 PM
To: Burns, Marlene
Subject: FW: The Frog House
Attachments: Clear Day Bkgrd.JPG

From: Joan Burton [<mailto:jbarton@mpcnetwork.com>]
Sent: Wednesday, March 30, 2011 10:32 AM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: The Frog House

Please do not close The Frog House! It's an institution in Newport Boach and very important resource for the surfers in Orange county. I don't even surf but I grew up with all the local surfers and this is a part of surfing history. Please rethink this. Thank you.

Joan Burton
Account Manager
MPC Boaters Directory
1-800-76YACHT ext 346
1-949-873-1002 ext 346

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 1:05 PM
To: Burns, Marlene
Subject: FW: DONT CLOSE THE FROG HOUSE!!!!!!!!!!!!!!!

From: JJ [<mailto:hewitt78@yahoo.com>]
Sent: Wednesday, March 30, 2011 11:03 AM
To: rhawkins@earthlink.net
Subject: DONT CLOSE THE FROG HOUSE!!!!!!!!!!!!!!!

I am a community leader and I would like to show my support for the place that is more than a business, but a community pillar. I was a young boy when the frog house staff really helped me to get into surfing with the right equipment and support of a life long hobby.

Thanks for your consideration,

Jeremiah "JJ" Hewitt

C.W.A. Local 9510 Acting Vice President for Verizon Unit

Sons of the American Legion Post 291

V.C.H.O.A. President and Board Member

M.B.A. Technology Management

B.S. Information Technology



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sender immediately. Please delete it and all attachments from any servers, hard drives or any other media. Other use of this e-mail by you is strictly prohibited.

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 1:05 PM
To: Burns, Marlene
Subject: FW: Don't Let the City Shut the Froghouse Down

-----Original Message-----

From: Cecelia_Ward@Toyota.com [mailto:Cecelia_Ward@Toyota.com]
Sent: Wednesday, March 30, 2011 11:11 AM
Subject: Don't Let the City Shut the Froghouse Down

This petition is to let the Newport Beach, Froghouse stay on
PCH.....Please,

Cecelia Ward
Huntington Beach

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 1:04 PM
To: Burns, Marlene
Subject: FW: Let the Frog House Stay

From: Fullerboysmom@aol.com [<mailto:Fullerboysmom@aol.com>]
Sent: Wednesday, March 30, 2011 12:38 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: Let the Frog House Stay

Please make a zoning change and a General Plan Amendment to allow Frog House to stay! It is a Newport Icon that everyone would hate to see go!

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 1:03 PM
To: Burns, Marlene
Subject: FW:

From: Suzanne Smith [<mailto:suannie@sbcglobal.net>]
Sent: Wednesday, March 30, 2011 12:24 PM
To: strataland@earthlink.net; cwunsworth@roadrunner.com; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com; emcdaniel@sunwestbank.com
Subject:

Dear Newport Beach Commissioners,

Please, please approve the Frog House request for a zoning change and general plan amendment. It is an iconic Newport Beach shop.

Furthermore, they are the BEST neighbors! How do I know? For six-and-a-half years my husband and I (and then 3 of our 5 children) lived in the little red house adjacent to the Frog House. Even with the parking lot, the customers coming and going, etc. The employees and customers of the Frog House were always better neighbors than the vast majority of the neighbors we had across the street and next door. TK took great care in making sure that trash was picked up in his parking lot, and the area immediately around his building kept clean and tidy. Again, better than many of the neighbors that seemed to circulate in and out of that neighborhood.

Also, while living there, there were several occasions when cars careened out of control on PCH and ended up nearly in our living room. Had that house been situated any closer to PCH, I'm sure we would have had more than one unwelcome late night visitor (along with a great deal of damage to our psyches and the physical structure of the house). I can't imagine converting that parking lot into a residence after having lived through those few "close shaves".

Please approve the zoning change and general plan amendment.

Thank you for your time and service.

Sincerely,

Suzanne Smith

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:19 AM
To: Burns, Marlene
Subject: Fw: Save the Froghouse.

-----Forwarded Message-----

From: Debbie Maxwell
Sent: Mar 30, 2011 9:14 AM
To: rhawkins@earthlink.com
Subject: Save the Froghouse.

I support the Froghouse's request for a zoning change and an amendment to the General plan to allow the Froghouse to continue to do business and serve ...the city of Newport Beach as it has for many many years. While I am a resident of Huntington Beach, I visit Newport Beach quite often and visit the Peninsula/Northwest section of Newport Beach, where Froghouse conducts business, The Froghouse is an integral part of the culture and atmosphere which draws myself, as well as my friends and family, over and over again. The owner TK Brimer is a man of integrity. He is generous to a fault. He has done many things to make our community a better place to live. TK and all the employees of the Froghouse are always helpful, friendly and cheerful when you go into their store. Froghouse is an icon in the surf community and in Newport Beach's history. Please approve this minor zoning request and amendment to allow a Newport Beach mainstay to continue to serve the city's residents and visitors.

Debbie Maxwell
9652 Sailfish Drive
Huntington Beach, CA 92646

[714-336-8507](tel:714-336-8507)r

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:19 AM
To: Burns, Marlene
Subject: Fw: Save the Froghouse

-----Forwarded Message-----

From: Matt Kelley
Sent: Mar 30, 2011 9:15 AM
To: "cwunsworth@roadrunner.com", "strataland@earthlink.net", "eaton727@earthlink.net",
"rhawkins@earthlink.net", "bhillgren@highrhodes.com", "ameri@rbf.com"
Subject: Save the Froghouse

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:07 AM
To: Burns, Marlene
Subject: Fw: LET THE FROG HOUSE STAY

-----Forwarded Message-----

From: Capt Steve
Sent: Mar 30, 2011 2:48 AM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Cc: tkfrog@aol.com
Subject: LET THE FROG HOUSE STAY

City of Newport Beach

Let the FROG HOUSE Stay !!!

Surfing is an intricate component to the City of Newport Beach. It's what skiing is to the city of Mammoth.

Surfing is part of Newport's heart & soul.

The art of riding waves is more than a simple recreational activity; it's a healthy way of life. Surfing also provides the city with millions of dollars of revenue.

The Frog House has been around since the early years of surfing in Southern California, and longer than almost any surf shop in the country !!!

The Frog House is more than a landmark to the City of Newport Beach, it's an inspiration to "keep the stoke," and enjoy life. Generations of surfers (young & old) have bought their very first surfboard there, and I am proud to say I am one of these surfers. When people drive past the Frog House on PCH, they forget about their troubles and daily stress; they remember good times and fond memories.

The Frog House is more than a surf shop. It's a spiritual place where families and friends return to year after year to soak up the history of surfing. For several decades, TK Brimer and his colorful cast of employees have encouraged kids to 'stay off drugs' and just go surfing. If it weren't for TK, I would not

be the person I am today. He inspired me to travel the world and be a good ambassador towards protecting our oceans.

Depriving future generations from one of the world's last remaining "Real Surf Shops" would be a crime and just plain bad business for the city.

Let the Frog House stay. Do not cut out the heart of Newport Beach !!!

Sincere Regards,

Captain Steve Voris

captainaloha@live.com

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:07 AM
To: Burns, Marlene
Subject: Fw: Fog House Zoning issues

-----Forwarded Message-----

From: Steve Short
Sent: Mar 30, 2011 12:06 AM
To: cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net, rhawkins@earthlink.net,
bhillgren@highrhodes.com, ameri@rbf.com, emcdaniel@sunwestbank.com
Subject: Fog House Zoning issues

Hello Newport Planning Commissioners,

I would sure appreciate you giving the Frog House a break on the zoning issues that are being discussed in April. I have been a long time customer of the Frog House and they have always treated me well...and now my son shops there too.

We would hate to see them closed down or relocated due to the zoning laws so request that you find some way to give them a break.

Thanks, Steve Short

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:07 AM
To: Burns, Marlene
Subject: Fw: The Frog House

-----Forwarded Message-----

From: David Ayers
Sent: Mar 30, 2011 8:51 AM
To: rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: The Frog House

Dear Sir,

I am writing to ask you to please do the right thing with the legendary Frog House. Anyone that ever lived or surfed in Newport Beach has certainly heard of or come across this landmark and icon of surfing. I am sure you are hearing a lot of people pleading for your help and giving plenty of reasons why and probably telling you a number of stories. I just simply want to ask you to help save the Frog House and keep the historic charm of Newport Beach alive. I understand it has to do with residential zoning laws but sometimes laws don't make sense and certainly some common sense should be applied to this situation.

Thank you for your time,
David Ayers

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:06 AM
To: Burns, Marlene
Subject: Fw: Please consider letting Froghouse Stay

-----Forwarded Message-----

From: Mary DeScenza
Sent: Mar 29, 2011 10:37 PM
To: cwunsworth@roadrunner.com, emcdaniel@sunwestbank.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Please consider letting Froghouse Stay

I support the Froghouse's request for a zoning change and an amendment to the General plan to allow the Froghouse to continue to do business and serve the city of Newport Beach as it has for many many years. While I am a resident of Okinawa, Japan, I always try visit Newport beach whenever I can back to the states and visit the Peninsula/Northwest section of Newport Beach, where Froghouse conducts business. The Froghouse is an integral part of the culture and atmosphere which draws myself, as well as my friends and family, over and over again. Please approve this minor zoning request and amendment to allow a Newport Beach mainstay to continue to serve the city's residents and visitors.

Thanks,

Mary Mohler

PS. Even on the other side of the world, I still see Froghouse's presence, I have seen multiple bumper stickers here, so the appeal of this surf shop isn't just for the local crowd, but also maintains a fan base all over the world

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:06 AM
To: Burns, Marlene
Subject: Fw: Save the Frog House

-----Forwarded Message-----

From: Mike Stebinger
Sent: Mar 29, 2011 10:12 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Save the Frog House

Save the Frog House! This is a icon and i hope to be able to have my 1 year old son his first wet suite there like so many of us have over the years.

--

Mike
mike@longboardsicecream.com
714-594-5051

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:06 AM
To: Burns, Marlene
Subject: Fw: Let the frog house stay

-----Forwarded Message-----

From: Brandon Hoshiko
Sent: Mar 29, 2011 9:45 PM
To: rhawkins@earthlink.net
Subject: Let the frog house stay

Dear Hon. Eaton:

Please allow the Frog House to stay. It is an iconic landmark of Newport Beach & the surfing community at large. We need the Frog House.

Brandon Hoshiko

I sent this message from a mobile device. I beg your pardon if I appear curt or have overlooked typos.

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:05 AM
To: Burns, Marlene
Subject: Fw: Frog house

-----Forwarded Message-----

From: Courtney Fletcher
Sent: Mar 29, 2011 9:30 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Frog house

Dear members of the Newport planning commission,

Please keep the frog house where it is. It's an amazing place that brings the community together and is treasured by all those who have had the opportunity to take a visit. Thank you for your time, I hope you will consider how much this place means to us when making your decision.

Courtney Fletcher

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:05 AM
To: Burns, Marlene
Subject: Fw: Kindly Consider the The Frog House

-----Forwarded Message-----

>From: Dandy O'Shea <aliciamarble@mac.com>

>Sent: Mar 29, 2011 9:28 PM

>To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net,
rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com

>Subject: Kindly Consider the The Frog House

>

>Dearest Commissioners,

>

>Please take careful and kind consideration while reviewing all matters regarding our local treasure, The Frog House. It is part of the landscape of West Newport, a welcome sign to visitors and home to locals. For years, it is a trusted resource where the always terrific TK and his great staff have provided us the wonderful tools to enjoy what is really makes our town so special - the ocean. Please consider that this shop is well loved and patronized. The Frog House is well maintained, managed and provides a valued service. There is something else about Newport that makes it special, there is no other place in the world like it. The Frog House is unique, The Frog House is Newport! I appreciate any time spent to take careful and loving consideration for a place that is sewn into the fabric of Newport, changing it will be pulling at the fabric of our wonderful local vibe. Please feel free to contact me should you like to discuss this The Frog House and the connection it has to our city.

>

>Kind regards,

>

>Dandy O'Shea

>2 Spanish Bay Drive

>Newport Beach, CA 92660

>949-644-9990

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:05 AM
To: Burns, Marlene
Subject: Fw: Please Save the Frog House

-----Forwarded Message-----

From: Sean Frink
Sent: Mar 29, 2011 9:07 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Please Save the Frog House

Gentlemen:

As someone who was born Hoag Hospital in 1964, attended Mariners Elementary, Horace Ensign Junior High School, and NHHS, whose family still lives there, and who spent virtually every waking moment during the summer and school breaks down in Newport Shores, I think that I know it when I say that the Frog House is a Newport Beach institution deserving of exceptional consideration by your commission. Seriously, what remains of the old Newport from the 60's and early 70's, the "Big Wednesday" era golden age of surf companies? Gone is Russell Surfboards. Gone is the old Newport Surf and Sport. What old school surf companies remain? Please save the Frog House.

It is truly a deserving of our respect and, in this case, some exceptional treatment by you.

Regards,
Sean Frink

Sean Frink
Partner | Carlsmith Ball LLP

P.O. BOX 5241 SAIPAN, MP 96950 (USA)
CARLSMITH BUILDING, ISA DRIVE, CAPITOL HILL, SAIPAN, MP 96950 (USA)
DIRECT: (670) 322-3455 **FAX:** (670) 322-3368 **WEB:** www.carlsmith.com **EMAIL:** sfrink@carlsmith.com

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IMPORTANT/CONFIDENTIAL: This message may contain confidential and privileged information. If it has been sent to you in error, please reply to inform the sender of the error and then delete this message.

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:05 AM
To: Burns, Marlene
Subject: Fw: save the froghouse

-----Forwarded Message-----

>From: Steve Byrne <stevebyrmarketing@gmail.com>
>Sent: Mar 30, 2011 7:25 AM
>To: strataland@earthlink.net, eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com,
ameri@rbf.com
>Subject: save the froghouse
>
>I'm a newport beach citizen. Kindly do what is needed to prevent the
>froghouse from moving.
>
>Thank you
>
>The Newport planning commission is he...aring the frog house request
>for zoning change and the general plan amendment on April 7 at 6:30pm.
>I ask you to forward this message to all members of save the frog
>house asking anyone who would take the time to email a favorable
>request to any one or all 7 of the commissioners that will be voting
>on our fate. Here is a list of their names and emails. Thank you for
>your help .
>
>--
>Steve Byrne
>714.348.4363 Mobile

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:04 AM
To: Burns, Marlene
Subject: Fw: Please save the Froghouse

-----Forwarded Message-----

From: CRAIG MOSS
Sent: Mar 30, 2011 7:22 AM
To: cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net, rhawkins@earthlink.net,
bhillgren@highrhodes.com, ameri@rbf.com
Subject: Please save the Froghouse

I'm writing you to express my support for allowing the Froghouse to remain at their current property. They are an integral part of West Newport and should be allowed to continue providing service to both residents and visitors of Newport Beach. Over 12,000 people have put "like" on the Facebook page, expressing support as well. I hope that you would please take that into account when making your decision as it has been a symbol of Newport Beach and the community.

Thank you for your time and consideration.

Sincerely,

Craig Moss

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:04 AM
To: Burns, Marlene
Subject: Fw: SAVE THE FROG HOUSE

-----Forwarded Message-----

From: SurfbumNate
Sent: Mar 30, 2011 7:12 AM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: SAVE THE FROG HOUSE

Please save the Frog House. Don't allow a ridiculous technicality to take away one of the last historic landmark surf shops along the SoCal coast. I love the Frog House, I've been going there since the early 80's, I bought my wife her first long board there, and we both wish the Frog House to remain where it is forever. Thanks so much.

Nathan Kapel

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:04 AM
To: Burns, Marlene
Subject: Fw: Frog House -- Keep It Put Where It Is!

-----Forwarded Message-----

>From: Rod Rodgers <rodndtube@gmail.com>
>Sent: Mar 30, 2011 6:44 AM
>To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net,
rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
>Subject: Frog House -- Keep It Put Where It Is!
>
>Honorable Newport Planning Commissioners,
>
>I would sure appreciate you giving the Frog House a break on the zoning
>issues that are being discussed in April.
>
>The Frog House is a cultural and historical icon, provides a valuable
>service and is a long-time established small business.
>
>Please make whatever zoning changes are needed in a manner that ensures
>the continued Frog House business where it is and in a manner that does
>not penalize or put into jeopardy the continued success of this small
>business.
>
>Thanks,
>
>--
>
>_____
>Rod Rodgers _\m/
><http://rodndtube.com/>
><http://mypaipoboard.org/>
>

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:03 AM
To: Burns, Marlene
Subject: Fw: Frog House

-----Forwarded Message-----

From: Sharon Brimer
Sent: Mar 30, 2011 6:42 AM
To: rhawkins@earthlink.net
Subject: Frog House

Dear Mr. Hawkins,

I am writing in support of the request for zoning change and the general plan amendment that would allow the Frog House to stay in business at its present location.

Sharon D. Brimer
Customer, Frog House

C: 949-233-0107

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:03 AM
To: Burns, Marlene
Subject: Fw: Save the Frog House

-----Forwarded Message-----

From: Mark Crane
Sent: Mar 30, 2011 6:37 AM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Cc: 'JEFFREY S BRACEY', Dane Brimer
Subject: Save the Frog House

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:02 AM
To: Burns, Marlene
Subject: Fw: Please allow the Froghouse to continue in the current location.
Attachments: Mark Freeman.vcf

-----Forwarded Message-----

From: Mark Freeman
Sent: Mar 30, 2011 6:02 AM
To: cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Please allow the Froghouse to continue in the current location.

Dear Newport Planning Commission members,
I'm writing you to express my support for allowing the Froghouse to remain at their current property.

They are an integral part of West Newport and should be allowed to continue providing service to both residents and visitors of Newport Beach. 12,375 people out there put "like" on the Facebook page, expressing support as well. Please take that into account, as you make your decision.

Thanks for your consideration!
Regards,
Mark Freeman

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:02 AM
To: Burns, Marlene
Subject: Fw: the frog house zoning

-----Forwarded Message-----

From: alan fogel
Sent: Mar 30, 2011 5:44 AM
To: rhawkins@earthlink.net
Subject: the frog house zoning

Hi Mr Hawkins,
I've been shopping at the Frog House for over 30 years and I would hate to see them close. Please find a way to let them stay at their present location. They are an important part of the Newport Beach surf culture and a huge asset to the community.
Thank you,
Alan Fogel

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:02 AM
To: Burns, Marlene
Subject: Fw: Thank you for your consideration

-----Forwarded Message-----

From: Catherine Ballard
Sent: Mar 30, 2011 8:48 AM
To: rhawkins@earthlink.net
Subject: Thank you for your consideration

I will keep this brief, as I'm sure you will receive many emails. By the time you meet on April 7th to consider the zoning changes for the Frog House on PCH, I hope that you understand how much this landmark business means to many of us in the community.

I grew up in Buena Park and my husband in Norwalk, but we all knew the Frog House. My students here at USC know the Frog House. Even people who don't surf are familiar with this legendary store. It truly is a landmark, one that I have known all my life, and I love shopping there. The staff and the atmosphere really represent some of what I love so much about our beach community.

I also hope that by April 7th you will have learned about what an amazing person the Frog House owner is. TK Brimer is one of the most amazing people I have had the privilege to come to know. He has a great heart for the community and it's youth. He spends much of his time and money promoting organizations and events that benefit the underprivileged youth throughout Orange County.

I know that you carry the burden of making these decisions on behalf of, and in consideration of, the entire community and I appreciate the weight of your deliberations. Thank you for taking the time to read this and I hope that you will consider the change in zoning that will allow the Frog House to stay. I really can't imagine what it would be like to drive down PCH every day and not see the Frog House.

Cathy Ballard
Associate Director
Department of Political Science
USC Dana and David Dornsife College of Letters, Arts and Sciences
3518 Trousdale Parkway
VKC 327, MC 0044
Los Angeles, CA 90089
Phone: 213/740-6998
Fax: 213/740-8893
Email: cballard@college.usc.edu

"Never doubt that a small group of thoughtful, committed citizens can change the world; indeed it's the only thing that ever has."

Margaret Mead

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:02 AM
To: Burns, Marlene
Subject: Fw: Frog House Re-Zoning

-----Forwarded Message-----

From: Sales - The Boat Broker & RV
Sent: Mar 30, 2011 8:06 AM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Frog House Re-Zoning

Please do not allow the Frog House to be zoned out of it's current location. We might be all the way out here in Lake Havasu City, AZ, but we frequently surf on the weekends and the Frog House is one of last remaining "Real" surf shops in that area, and we'd really, REALLY hate to see it go away, as we're sure the general populace would agree. Please make the right choice in your upcoming vote, for the people, and for the historic value of the Frog House itself.

Thank you for your consideration.

Your friendly "The Boat Brokers & RV" sales team.

The Boat Brokers & RV

"Your Havasu Connection!"

1680 Industrial Blvd

Lake Havasu City, AZ 86403

<mailto:sales@theboatbroker.com>

800.488.0258 Toll Free

928.453.8833 Local

928.453.1930 Fax

<http://www.theboatbroker.com>

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:02 AM
To: Burns, Marlene
Subject: Fw: No Subject

-----Forwarded Message-----

From: LarryKnut@aol.com
Sent: Mar 30, 2011 7:51 AM
To: rhawkins@earthlink.net
Subject: No Subject

I have lived in the area since 1969 and love the charm of old Newport Beach. I have frequented the Froghouse for years and now bring my granddaughter there. Please consider voting to keep them going.

Larry Knutsen

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, March 30, 2011 10:01 AM
To: Burns, Marlene
Subject: Fw: Please save the Froghouse

-----Forwarded Message-----

From: LOUIS DULIEN
Sent: Mar 30, 2011 4:13 AM
To: emcdaniel@sunwestbank.com, eaton727@earthlink.net, cwunsworth@roadrunner.com,
rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Please save the Froghouse

I grew up across the street from the Froghouse. I rode my bike to school on the boardwalk to Newport El. My brother and I had our first job at the Froghouse. We both went on to careers in the surf industry. I thank the Froghouse for introducing me to that industry. Please don't take away the chance for others to experience what I have through that shop. It's much more than a surf shop. It's a piece of Newport Beach history.

Thank you for taking the time to read this.

Lou Dulien

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 9:57 PM
To: Burns, Marlene
Subject: Fw: Froghouse

-----Forwarded Message-----

From: Austin Morrell
Sent: Mar 29, 2011 8:27 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Froghouse

Please let the Froghouse stay!

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 9:56 PM
To: Burns, Marlene
Subject: Fw: Froghouse

-----Forwarded Message-----

>From: Scott Lastovica <slastovica@gmail.com>
>Sent: Mar 29, 2011 7:26 PM
>To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net,
rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
>Subject: Froghouse
>
>Dear Sir,
>
>I'm writing to do my part and vote to let the Froghouse stay at it's
>current location in Newport. This is a landmark with a TON of surfing
>history and the guys who work there are the best! This place is one
>of the only original surf shops left. Let's not take this away from
>those of us who love the Froghouse so much.
>
>Thank you,
>Scott Lastovica
>Avid Surfer and Balboa Island Resident

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 9:56 PM
To: Burns, Marlene
Subject: Fw: Request for Zoning Change and General Plan Amendment

-----Forwarded Message-----

From: Steve Albertelli
Sent: Mar 29, 2011 6:49 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Request for Zoning Change and General Plan Amendment

As a former resident of and frequent visitor to the City of Newport Beach, I respectfully request that the city council and planning commission grant the zoning change and general plan amendment requested by the Frog House surf shop. The Frog House is an integral part of the Newport Beach community. Several times each year I return to Newport Beach from my current home in Oregon, and each time I return I visit the Frog House. It is one of the only surf shops that I recommend to out-of-town visitors. Surely the good will and additional income to other city businesses generated by visitors to the Frog House is of great worth to the city.

Thank you for your consideration.

Steve Albertelli
Eagle Point, Oregon

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 9:56 PM
To: Burns, Marlene
Subject: Fw: Let the frog house stay

-----Forwarded Message-----

>From: brandonhoshiko@gmail.com

>Sent: Mar 29, 2011 6:54 PM

>To: rhawkins@earthlink.net

>Subject: Let the frog house stay

>

>Dear Hon. Eaton:

>

>Please allow the Frog House to stay. It is an iconic landmark of Newport Beach & the surfing community at large. We need the Frog House.

>

>

>Brandon Hoshiko

>-----

>I sent this message from a mobile device. I beg your pardon if I appear curt or have overlooked typos.

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 9:55 PM
To: Burns, Marlene
Subject: Fw: Froghouse

-----Forwarded Message-----

From: Kindon Olsen
Sent: Mar 29, 2011 7:44 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Froghouse

Council members:

I support the Froghouse's request for a zoning change and an amendment to the General plan to allow the Froghouse to continue to do business and serve the city of Newport Beach as it has for many many years. While I am a resident of Irvine, I visit Newport beach daily and visit the Peninsula/Northwest section of Newport Beach, where Froghouse conducts business, at least once a week. The Froghouse is an integral part of the culture and atmosphere which draws myself, as well as my friends and family, over and over again. Please approve this minor zoning request and amendment to allow a Newport Beach mainstay to continue to serve the city's residents and visitors.

--

Thank you,

Kindon Olsen

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 9:55 PM
To: Burns, Marlene
Subject: Fw: Help the Frog House, Please!

-----Forwarded Message-----

From: LaSaRod@comcast.net
Sent: Mar 29, 2011 8:06 PM
To: ameri@rbf.com, bhilgren@highrhodes.com, rhawkins@earthlink.net, eaton727@earthlink.net,
strataland@earthlink.net, cwunsworth@roadrunner.com
Subject: Help the Frog House, Please!

With the utmost respect, I ask you to please consider rezoning the Frog House so that it may stay open.

I live in Beaverton, Oregon, but have fond memories of the Frog House since my childhood beginning over 30 years ago. My uncle owns the shop, so I grew up visiting the Frog House. Just last week I visited again with my own children. My oldest son donned a wet suit for the first time and tried to surf!

I imagine that his property would be prime real estate considering the proximity to the beach. The Frog House means so much more than that. It is a place for Newport and Huntington's youth to connect and pass time in a positive way.

Many years ago I saw just how important the Frog House is to a community much larger than you probably think. I was hiking the Inca Trail to Maccu Picchu in Peru and met someone from Newport Beach. I told him that my uncle owned a surf shop there, the Frog House. He looked at me and said, "Your uncle is TK Brimer?"

Since then I have met numerous people here in Oregon who have visited the store and shopped in Newport Beach. The Frog House remains a memorable place for them and surely thousands I have never met.

Please do what you can to keep my uncle's store open!

Respectfully,

LaSandra (Brimer) Rodriguez
660 SW 126th Ave
Beaverton, OR 97005
503-816-4687

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 9:54 PM
To: Burns, Marlene
Subject: Fw: "SAVE THE FROGHOUSE" with some details

-----Forwarded Message-----

From: ROBERT LOMBARD
Sent: Mar 29, 2011 8:17 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
rhawkins@earthlink.net
Cc: bhillgren@highrohodes.com, amerci@rbf.com
Subject: "SAVE THE FROGHOUSE" with some details

Tuesday
March 29th
9:09 PM

Good evening Mr. Daniel, Mr. Unsworth, Mr. Toerge, Mr. Eaton, Mr. Hawkins, Mr. Hillgren, and Mr. Ameri

Writing to give you a bit of backstory regarding my experience with "The Frog House Surf Shop.

I started surfing at the age of 62 and TK and the crew have been supportive and encouraging for someone of my age starting out. NO OTHER SURF SHOPS in the Newport or Huntington Beach area other than 5th Street Surf, which folded due to the economy reached out with advice etc. NOT just trying to sell me something.

With that being said a shop like "The Frog House" should continue serving their customers and all should be grateful a small local surf shop has been able to retain their business in these trying times.

PLEASE allow them to stay..... Researching this store it appears they are more of an institution than just a retail business.

SAVE THE FROG HOUSE.

A supporter and customer,
Robert "The Old Surfer" Lombard
By the way I am now 65 years of age and still catching waves and "The Frog House" is my local shop.

--

ROBERT LOMBARD

310.248.3685

creative image Management and Casting, Ltd.

<http://www.creativeimagemgmt.com>

Email sent from Home Base Computer

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 9:53 PM
To: Burns, Marlene
Subject: Fw: comment

-----Forwarded Message-----

From: Dean Koutzoukis
Sent: Mar 29, 2011 8:25 PM
To: rhawkins@earthlink.net
Subject: comment

Mr Hawkins

I urge you to give the Frog House a zoning variance or whatever is needed to allow the iconic Socal surfshop to remain in its present location. I have personally spent thousands of dollars there and your fine city has reaped the tax revenue from those dollars. If the Frog House goes so do my tax dollars.

Thank you

Dean Koutzoukis
Yorba Linda CA

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 9:53 PM
To: Burns, Marlene
Subject: Fw: please respect The Froghouse and let it remain where it is

-----Forwarded Message-----

From: michefish@aol.com
Sent: Mar 29, 2011 8:37 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: please respect The Froghouse and let it remain where it is

Hello, members of the City Council.

I live right by The Froghouse - in fact, I can see it from my house. In the time that I've lived here, I have heard only good things about our corner surf shop, and I've become friends with some of staff that have worked there for quite some time. The Froghouse is an honest surf shop where I'd recommend my brother or my friends to get a board. Places like The Froghouse are why I like living in this part of Newport Beach - we have a neighborhood here, nearly free of chain businesses. In a county rampant with HOA's, strip malls, and severely planned urban space, it's refreshing to see independent businesses like this one, especially so close to where I live, inhabit a space where there is some creative freedom. Plus, The Froghouse has so much surfing history.

From an urban planning perspective, I'm sure how the lot it's on would make for halfway decent residential space. (That also goes for homes in a similar spot along PCH.) I encourage you to reconsider and allow The Froghouse to stay right where it is at PCH and Grant.

Thank you so much for your time.

Michelle Giron
engineer and Newport Shore resident

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 9:52 PM
To: Burns, Marlene
Subject: Fw: Frog House

-----Forwarded Message-----

>From: ropc@sbcglobal.net

>Sent: Mar 29, 2011 8:31 PM

>To: rhawkins@earthlink.net

>Subject: Frog House

>

>Pls save the Frog House! We are neighbors and appreciate their kindness and their expertise! We bought my hubby's board and suit from them. Nice to have such great people representing NB

>Sent via BlackBerry by AT&T

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 9:52 PM
To: Burns, Marlene
Subject: Fw: Let the Frog House stay!

-----Forwarded Message-----

>From: aberg38@hotmail.com

>Sent: Mar 29, 2011 6:19 PM

>To: rhawkins@earthlink.net

>Subject: Let the Frog House stay!

>

>I've been going to this locally owned surf shop for years, as have many others. It would be a massive stain on the City of Newport if you do not let them stay. Surf Culture is a major part of Newport, whether you like it or not. Please think about the history that you can save.

>Sent on the Sprint® Now Network from my BlackBerry®

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 7:20 PM
To: Burns, Marlene
Subject: Fw: Please read for April 7 agenda

-----Forwarded Message-----

From: Mike Feher
Sent: Mar 29, 2011 6:13 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Please read for April 7 agenda

Esteemed Members of the Newport Planning Committee,

I am writing to ask that you please consider the zoning change that affects TK's Froghouse Surfshop. The Froghouse is a representation of Newport Beach surf culture. When I tell people about the great city of Newport, it's one of the things I mention. People who don't live in Newport often mention the Froghouse in conjunction with Newport Beach. They go hand in hand. I have been shopping at the Froghouse since I was a child and always assumed I would take my kids there to buy their first surfboards. It's a part of Newport history, and hopefully will stand as a monument to Newport surf culture. Please consider allowing the Froghouse to remain in business and grant their rezoning request. Thank you.

Sincerely,

Michael Feher
Newport Beach Resident

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 7:20 PM
To: Burns, Marlene
Subject: Fw: For your Consideration

-----Forwarded Message-----

From: Christine Feher
Sent: Mar 29, 2011 6:12 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: For your Consideration

Esteemed Members of the Newport Planning Committee,

I am writing to ask that you please consider the zoning change that affects TK's Froghouse Surfshop. The Froghouse is a representation of Newport Beach surf culture. When I tell people about the great city of Newport, it's one of the things I mention. People who don't live in Newport often mention the Froghouse in conjunction with Newport Beach. They go hand in hand. I have been shopping at the Froghouse since I was a child and always assumed I would take my kids there to buy their first surfboards. It's a part of Newport history, and hopefully will stand as a monument to Newport surf culture. Please consider allowing the Froghouse to remain in business and grant their rezoning request. Thank you.

Sincerely,

Christine Feher
Newport Beach Resident

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 7:17 PM
To: Burns, Marlene
Subject: Fw: city officials

-----Forwarded Message-----

From: offroadbob@aol.com
Sent: Mar 29, 2011 5:39 PM
To: ameri@rbf.com, bhillgren@highrhodes.com, rhawkins@earthlink.net, eaton727@earthlink.net,
strataland@earthlink.net, cwunsworth@roadrunner.com, emcdaniel@sunwestbank.com
Subject: city officials

let the froghouse stay

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 7:17 PM
To: Burns, Marlene
Subject: Fw: To my elected officials.....

-----Forwarded Message-----

From: Bryan McLaughlin
Sent: Mar 29, 2011 5:29 PM
To: cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net, rhawkins@earthlink.net,
bhillgren@highrhodes.com, ameri@rbf.com
Subject: To my elected officials.....

I'm taking a second to write this email to keep a local city landmark alive instead of changing zoning laws to add another condo to Newport Beach. As a lifelong resident and avid surfer, TK's Froghouse has been a place to go and enjoy the company of others that love surfing. The new zoning laws seem to want to build another more then likely same looking and ugly house/condo, rather than allowing a local hotspot to stay in your city. Remember you all are elected officials and this could also be a political suicide, by making a horrible choice. Lots of very high profile companies such as Hurley, TK Burgers, Wahoos Fish Tacos, to name a few, are on Froghouse's side. So with that said keep in mind when they need to expand or relocate, remember what city they wont pick as a choice. Other business right next door to the Froghouse don't seem to be affected example: Big Belly Deli and Spaghetti Binder, why Froghouse????? Thanks for reading this and hope you make an informed and logical decision in regards to the rezoning laws.

Bryan

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 7:17 PM
To: Burns, Marlene
Subject: Fw: To my elected officials.....

-----Forwarded Message-----

From: Bryan McLaughlin
Sent: Mar 29, 2011 5:29 PM
To: cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net, rhawkins@earthlink.net,
bhillgren@highrhodes.com, ameri@rbf.com
Subject: To my elected officials.....

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Bryan

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 7:16 PM
To: Burns, Marlene
Subject: Fw: To my elected officials.....

-----Forwarded Message-----

From: Bryan McLaughlin
Sent: Mar 29, 2011 5:29 PM
To: cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net, rhawkins@earthlink.net,
bhillgren@highrhodes.com, ameri@rbf.com
Subject: To my elected officials.....

I'm taking a second to write this email to keep a local city landmark alive instead of changing zoning laws to add another condo to Newport Beach. As a lifelong resident and avid surfer, TK's Froghouse has been a place to go and enjoy the company of others that love surfing. The new zoning laws seem to want to build another more then likely same looking and ugly house/condo, rather than allowing a local hotspot to stay in your city. Remember you all are elected officials and this could also be a political suicide, by making a horrible choice. Lots of very high profile companies such as Hurley, TK Burgers, Wahoos Fish Tacos, to name a few, are on Froghouse's side. So with that said keep in mind when they need to expand or relocate, remember what city they wont pick as a choice. Other business right next door to the Froghouse don't seem to be affected example: Big Belly Deli and Spaghetti Binder, why Froghouse????? Thanks for reading this and hope you make an informed and logical decision in regards to the rezoning laws.

Bryan

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 7:16 PM
To: Burns, Marlene
Subject: Fw: Please Do What You Can To Save The Frog House

-----Forwarded Message-----

>From: Daiquiri Scherer <daiquirischerer@gmail.com>

>Sent: Mar 29, 2011 5:12 PM

>To: rhawkins@earthlink.net

>Subject: Please Do What You Can To Save The Frog House

>

>Dear Commissioner Hawkins,

>

>I am writing you to urge you to please make the zoning change to allow

>the historical Frog House to stay. My in-laws live in Newport

>Shores. I want my children to have the wonderful experience of a

>mom-in-pop store trying to provide their customers with personal and

>friendly service that cares. Growing up in Huntington Beach, I would

>always look out for the Frog House sign and persuade my father into

>taking us in to buy surf stickers. My brothers would buy their surf

>accessories at the Frog House because the staff were experienced and

>honest. Our culture today is full of big business deciding what we

>should like and buy. It makes me lose faith in humanity to think that

>the Frog House could lose their shop due to zoning. If they were big

>business, they would most likely be able to pay for these changes.

>Please help our society reflect that even if you are a small company,

>you can achieve success, by working hard and providing your customers

>with honest business.

>I urge you to please do everything you can for the Frog House.

>

>Sincerely,

>

>Daiquiri Scherer

>a mother

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 7:15 PM
To: Burns, Marlene
Subject: Fw: Save the Frog House

-----Forwarded Message-----

From: Kathryn Grant
Sent: Mar 29, 2011 5:08 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Save the Frog House

Hi,

I am a resident of Costa Mesa, a child of the NMUSD school system, and a happy customer of the Frog House. I am writing that you please do not let the Frog House be converted or torn down. REALLY?? What harm will it do to let it stay? PLEASE please do not let this Newport Beach staple die and be gone ..

Thanks gentlemen for your time ...

--

Kasey
How can you get better if you stop learning?

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 7:15 PM
To: Burns, Marlene
Subject: Fw: Let the Frog House stay please

-----Forwarded Message-----

>From: Lindsey Jensen <lindsey.jensen169@myci.csuci.edu>
>Sent: Mar 29, 2011 5:02 PM
>To: cwunsworth@roadrunner.com, emcdaniel@sunwestbank.com, strataland@earthlink.net, eaton727@earthlink.net,
rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
>Subject: Let the Frog House stay please
>
>To whom it may concern,
>I'm a huge supporter of the Frog House and it would be a huge shame if
>it is put out of business. Most people probably won't care about it
>since it's just another surf shop, but that's the thing, it's not just
>another. You walk into some of the shops and no one says hi to you.
>BUT at the Frog House there are always the most friendly people and TK
>is such a great owner. That place is legendary status, it's apart of
>peoples lives, it's apart of their history and people only have
>positive things to say about it. I know I'm just another annoying
>college surfer and student sending you an email but please, it will
>mean so much to everyone if the Frog House stays.
>Thanks for your time!

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 7:14 PM
To: Burns, Marlene
Subject: Fw: The Frog House

-----Forwarded Message-----

>From: Modern Innovation <eric@themoderninnovation.com>

>Sent: Mar 29, 2011 5:00 PM

>To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net,
rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com

>Subject: The Frog House

>

>Dear Sirs,

>

>I am writing to you on behalf of The Frog House surf shop on PCH. When you go to vote, please know that this shop means a lot to many people. In fact, it is one of the last true surf shops in California. I know we have the likes of Jack's and Huntington Surf and Sport in our area, but they are not true surf shops. They are more like department stores with surfboards and they have terrible service. The Frog House is very specific to surf and their service and knowledge is unparalleled. They have been a family type store for many many years and they have a very loyal and supportive customer base. It would be sad to force out such a unique place that, to me and many others, is like a historical monument here in Newport. Please give them the consideration they deserve.

>

>SAVE THE FROG HOUSE!

>

>Thank you,

>Eric Vallely

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 7:14 PM
To: Burns, Marlene
Subject: Fw: Froghouse

-----Forwarded Message-----

>From: Los Lavaz <info@loslavaz.com>

>Sent: Mar 29, 2011 4:39 PM

>To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net,
rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com

>Subject: Froghouse

>

>Please don't take away one of our last surf monuments left in Huntington Beach and Newport Beach. The Frog house is a classic Store , Facility, which is like a family cornerstone to my family, friends, and there families. If anything ever happened to the Store it would greatly effect and Piss off a numerous amount of people. Even if the Froghouse decided to close down on there own we'd be Pist. But, Clearly thats not the case here. So , Please SAVE the Froghouse.

>Sincerely,

>

>

>THANK YOU,

>

>Vulcho Bonev

>

>Cell: (714)478-2462

>INFO@LOSLAVAZ.COM

>WWW.LOSLAVAZ.COM

>

>

>

>

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 7:14 PM
To: Burns, Marlene
Subject: Fw: Froghouse

-----Forwarded Message-----

From: Dena
Sent: Mar 29, 2011 5:51 PM
To: rhawkins@earthlink.net
Subject: Froghouse

Dear Mr. Hawkins;

The Froghouse is an institution. It is irreplaceable and irresponsible to not let it stay in business. My family & I have been shopping this family operated store for decades. Small location, locally owned and great proprietors make this a must have for Newport. My family is 3rd generations of NB, with my mom graduating from Harbor, she is 70 years old. Us "old" timers remember the good places long gone, do not let this business die an ugly death at the hands of government.

Please vote to keep the Froghouse.
Thank you! - Dena

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 7:14 PM
To: Charlie Bowman
Cc: Burns, Marlene
Subject: Re:

-----Original Message-----

From: Charlie Bowman
Sent: Mar 29, 2011 5:17 PM
To: rhawkins@earthlink.net
Subject:

SAVE THE FROGHOUSE!!!!

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Tuesday, March 29, 2011 7:13 PM
To: Burns, Marlene
Subject: Fw: Newport Beach Institutions

-----Forwarded Message-----

From: Brandon Seger
Sent: Mar 29, 2011 5:34 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Newport Beach Institutions

Greetings,

The Newport Beach that I grew up in is slowly disappearing. I'm not sure whose bright idea it was to get rid of the Reuben E. Lee and replace it with nothing but pushing out the Frog House would be a similar mistake. When you have your big meeting with all of the important civic leaders present, please make the case to do what's necessary to keep the Frog House around.

Thank you,

Brandon Seger

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Sunday, April 03, 2011 4:37 PM
To: Burns, Marlene
Subject: Fw: Vote to keep the Frog House where it is!

PA2010-182
PA2010-190
PA2011-014

-----Forwarded Message-----

From: Dan & Elizabeth Songster
Sent: Apr 3, 2011 8:33 AM
To: rhawkins@earthlink.net
Subject: Vote to keep the Frog House where it is!

Mr. Robert Hawkins

This is to request that you favorably respond to the Frog House Surf Shop request for zoning change and the general plan amendment on April 7pm. Please leave the Frog House where it is, this is too important to mess with.

I repeat: On the April 7th vote I very strongly urge you to rezone in favor of the Frog House staying in place at its current address.

Our Frog House is one of the most famous surf shops in the world is located at the north end of Newport Beach, CA right on Pacific Coast Highway. The Frog House is a surf shop in the purest sense of the word and has been operating at this location since 1963 It is also one of the last of a breed of surfshop that still stocks surfboards made by people who surf, and these board are sold in the Frog House by people who surf. To someone looking for a surfboard, whether they are a beginner or expert, that means a lot. It is not a strip mall shop, or a place with pretty girls behind the counter, it is truly a ☐surf☐ ☐shop☐!

When I graduated high school in 1968 I visited the Frog House hoping I might get a summer job-I did! But I got more than just a few dollars to make it until the fall when college opened up, I made friends and over the years more friends-much like family.

It was a fun experience then and still is. Everytime I visit and watch the people behind the counter as well as those walking in I see people who appreciate each other. TK Brimer treats both their employees and customers with respect and honesty and the people know it. A business with a history like that should be praised for the way it has served the community of Newport Beach as well as how they have molded people who were kids when they started working there and now have kids who have worked there, and now they have grandchildren! It is a family.

Everyone I know of who hears about the possible loss of the Frog House is at first disbelieving, then they are outraged. TK and the Frog House may not have political connections but they do have the support of the community, a very wide spread and passionate community.

At a time when everyone is downsizing and jobs are still being lost why would a city choose to close down a viable money making business that gives back to the community, in fact is a vital part of the community?

Do the Right Thing: Allow the Frog House to stay where it is on Pacific Coast Highway. An institution that has served generations of surfers (and visitors) and wants to continue serving out laughter, good surfboards, and inspiration and yes, (I never thought I would say this) guidance for the youth of the area.

Daniel Songster
23522 Cavanaugh Road
El Toto, CA 92630
949/768-0431

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Sunday, April 03, 2011 4:36 PM
To: Burns, Marlene
Subject: Fw: Froghouse

-----Forwarded Message-----

From: Josh Klinge
Sent: Apr 3, 2011 12:29 PM
To: cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net, rhawkins@earthlink.net,
bhillgren@highrhodes.com, ameri@rbf.com
Subject: Froghouse

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Saturday, April 02, 2011 11:22 AM
To: Burns, Marlene
Subject: FW: The Froghouse

From: Anna Prober [<mailto:annaprober@cox.net>]
Sent: Friday, April 01, 2011 9:56 PM
To: cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: The Froghouse

Begin forwarded message:

From: Anna Prober <annaprober@cox.net>
Date: April 1, 2011 9:48:54 PM PDT
To: campbell@city.newport-beach.ca.us, jgarcia@city.newport-beach.ca.us
Cc: palford@city.newpor-beach.ca.us
Subject: The Froghouse

Esteemed City Planning Commission Staff and Members,

I am writing to save the Froghouse. Plain and simple. I grew up a few houses away from there, and for me it is one of the last jewels Newport has to offer that has not been engulfed in the development so many other beach cities have seen. Tom and Linda, the owners, are long time family friends as well. I grew up alongside their children and as a child I was surrounded by the love their home exuded.

The Froghouse is simply an extension of true home values that are being lost by many cities and businesses today.

Tom has given SO much to the community, its youth, and surfing in general.

The work he has done and the investment he has made into our community is impossible to put into words.

It saddens me to imagine the loss of not just a store front... but of the values Tom and his staff express to everyone that walks in, every life he touches.

A feeling of coming home.

Heads I pay, tails it's free. (It's what Tom told all of us when buying surfwax as kids)

Please don't take this as lightly as a coin toss, but do keep in mind the gravity of once something is lost, a place we've all called "home" it can never be brought back.

Please, SAVE THE FROGHOUSE!!!!

Warm Regards,

Anna O'Bourke- Prober

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Saturday, April 02, 2011 11:22 AM
To: Burns, Marlene
Subject: FW: Let the Frog House stay

-----Original Message-----

From: Phil Bannan [<mailto:pbannan426@mac.com>]
Sent: Friday, April 01, 2011 10:41 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com;
strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net;
bhillgren@highrhodes.com; ameri@rbf.com
Subject: Let the Frog House stay

We need the Frog House.

It is Newport's only REAL surf shop. The local community depends on the Frog House. Please let it stay.

Thank you

-Phil Bannan

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Saturday, April 02, 2011 11:21 AM
To: Burns, Marlene
Subject: FW: Please Keep Newport Real

From: brett landry [<mailto:brettlandry@gmail.com>]
Sent: Saturday, April 02, 2011 12:44 AM
To: cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: Please Keep Newport Real

The Frog House surf shop is not just a business. It's a place where kids and families and anyone who enters discovers the beauty and excitement that comes from surfing. It is one of the last unique establishments in a growing sea of sameness in California and I hope that Newport will see that it adds true value to the city. Please vote for it to stay.

Cheers,
Brett

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Saturday, April 02, 2011 11:14 AM
To: Burns, Marlene
Subject: FW: Support the Froghouse's request for zoning!
Attachments: Candice Bernstein.vcf

From: Candice "Candy" Bernstein [<mailto:tourcandy@gmail.com>]
Sent: Saturday, April 02, 2011 7:42 AM
To: cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com; emcdaniel@sunwestbank.com
Subject: Support the Froghouse's request for zoning!

To whom it may concern:

Please accept my letter as direct support for a truly historic and special place that has been loved and a part of all Newport Beach locals' souls. We will always remember The Frog House from our childhoods and have passed the history to our children as we share our famous surf shop with them. I support the Froghouse's request for a zoning change and an amendment to the General plan to allow the Froghouse to continue to do business and serve ...the city of Newport Beach as it has for many many years. The Froghouse is an integral part of the culture and atmosphere which draws me, as well as my friends and family, over and over again. Please approve this minor zoning request and amendment to allow a Newport Beach mainstay to continue to serve the city's residents and visitors and preserve our rich surfing culture and please save The Froghouse!

Warmest regards and please don't take this away from us,

Candy Stomp Bernstein

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Saturday, April 02, 2011 11:14 AM
To: Burns, Marlene
Subject: FW: frog house

From: steve goss [<mailto:gossperformance@gmail.com>]
Sent: Saturday, April 02, 2011 8:33 AM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: frog house

Hello I would love to request the Frog House be allowed to stay .I grew up in that shop and so did many other locals .I still shop there weekly .We do not have many at all home town locals surf shops just big corporate non personal surf shops !Frog house is like buying products from friends and family!Please let them stay .Thank You Steve Goss

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Saturday, April 02, 2011 3:39 AM
To: Burns, Marlene
Subject: Fw: The Froghouse

-----Forwarded Message-----

From: Anna Prober
Sent: Apr 1, 2011 9:56 PM
To: cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: The Froghouse

Begin forwarded message:

From: Anna Prober <annaprober@cox.net>
Date: April 1, 2011 9:48:54 PM PDT
To: campbell@city.newport-beach.ca.us, jgarcia@city.newport-beach.ca.us
Cc: palford@city.newpor-beach.ca.us
Subject: The Froghouse

Esteemed City Planning Commission Staff and Members,

I am writing to save the Froghouse. Plain and simple. I grew up a few houses away from there, and for me it is one of the last jewels Newport has to offer that has not been engulfed in the development so many other beach cities have seen. Tom and Linda, the owners, are long time family friends as well. I grew up alongside their children and as a child I was surrounded by the love their home exuded.

The Froghouse is simply an extension of true home values that are being lost by many cities and businesses today.

Tom has given SO much to the community, its youth, and surfing in general. The work he has done and the investment he has made into our community is impossible to put into words.

It saddens me to imagine the loss of not just a store front... but of the values Tom and his staff express to everyone that walks in, every life he touches. A feeling of coming home.

Heads I pay, tails it's free. (It's what Tom told all of us when buying surfwax as kids)

Please don't take this as lightly as a coin toss, but do keep in mind the gravity of once something is lost, a place we've all called "home" it can never be brought back.

Please, SAVE THE FROGHOUSE!!!!

Warm Regards,
Anna O'Bourke- Prober

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Saturday, April 02, 2011 3:38 AM
To: Burns, Marlene
Subject: Fw: Let the Frog House stay

-----Forwarded Message-----

>From: Phil Bannan <pbannan426@mac.com>
>Sent: Apr 1, 2011 10:41 PM
>To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net,
rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
>Subject: Let the Frog House stay
>
>We need the Frog House.
>
>It is Newport's only REAL surf shop. The local community depends on
>the Frog House. Please let it stay.
>
>Thank you
>
>-Phil Bannan

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Saturday, April 02, 2011 3:37 AM
To: Burns, Marlene
Subject: Fw: The Froghouse

-----Forwarded Message-----

From: John Matteson
Sent: Apr 1, 2011 11:22 PM
To: "cwunsworth@roadrunner.com", "strataland@earthlink.net", "eaton727@earthlink.net", "rhawkins@earthlink.net", "phillgren@highrhodes.com", "ameri@rbf.com"
Subject: The Froghouse

Please let the froghouse stay. I have many memories as a kid of that place and it truly is a landmark to many.
Thank you for your consideration.

John Matteson
killawava.com

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Saturday, April 02, 2011 3:37 AM
To: Burns, Marlene
Subject: Fw: Please Keep Newport Real

-----Forwarded Message-----

From: brett landry
Sent: Apr 2, 2011 12:43 AM
To: "cwunsworth@roadrunner.com", "strataland@earthlink.net", "eaton727@earthlink.net", "rhawkins@earthlink.net", "bhillgren@highrhodes.com", "ameri@rbf.com"
Subject: Please Keep Newport Real

The Frog House surf shop is not just a business. It's a place where kids and families and anyone who enters discovers the beauty and excitement that comes from surfing. It is one of the last unique establishments in a growing sea of sameness in California and I hope that Newport will see that it adds true value to the city. Please vote for it to stay.

Cheers,
Brett

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Friday, April 01, 2011 10:27 AM
To: Burns, Marlene
Subject: FW: Save The Frog House!!!

From: vitaminblue@aol.com [<mailto:vitaminblue@aol.com>]
Sent: Thursday, March 31, 2011 5:10 PM
To: rhawkins@earthlink.net
Subject: Save The Frog House!!!

Robert Hawkins,

Please vote to Save The Frog House!!!, the surf shop has been a part of surfing history for many, many years.

Thank You,

Frank D. Ornelas

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Friday, April 01, 2011 10:27 AM
To: Burns, Marlene
Subject: FW: Save The Frog House

-----Original Message-----

From: david carter [<mailto:dcwjahvatnd@yahoo.com>]
Sent: Thursday, March 31, 2011 6:53 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com;
strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net;
bhillgren@highrhodes.com; ameri@rbf.com
Subject: Save The Frog House

A New port Beach institution that Needs to remain for the Kids to Have for their Surf Gear! Proper Zoning the Property For this Newport Beach Institution Should not even be a Question in an economy that needs Merchants in Newport Beach Tourist industry that has Hotels near by in HB and Channel Inn in Newport.
Thank you for Voting in consideration of the Frog house

David M Carter

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Friday, April 01, 2011 10:27 AM
To: Burns, Marlene
Subject: FW: Please save the FROGHOUSE

From: Tim West [<mailto:harborcleantim@yahoo.com>]
Sent: Thursday, March 31, 2011 9:59 PM
To: harborcleantim@yahoo.com
Cc: cwunsworth@roadrunner.com; cwunsworth@roadrunner.com; strataland@earthlink.net; strataland@earthlink.net; eaton727@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; bhillgren@highrhodes.com; ameri@rbf.com; ameri@rbf.com
Subject: Please save the FROGHOUSE

The Froghouse is a family owned business that goes out of its way to give back to our community. The FROGHOUSE is a Newport Beach ICON, it stands for Welcome to Newport Beach. There are so few family owned businesses. The Froghouse is a Newport Beach Landmark. Once again please do not take away our past our memories and our stories to our children (this is were I bought my first new surfboard for only \$75.00)
I'm a resident of 42 years

Thank you Tim West & Family

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Monday, April 04, 2011 1:18 PM
To: Burns, Marlene
Subject: FW: Frog House

-----Original Message-----

From: Hurley, Bob (Hurley) [mailto:Bob_Hurley@hurley.com]
Sent: Monday, April 04, 2011 11:00 AM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com;
strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net;
bhillgren@highrhodes.com; ameri@rbf.com
Cc: Tk
Subject: Frog House

Esteemed Commissioners.....

I am writing to you regarding the Frog House in Newport Beach. For fifteen years, I have lived in the neighborhood across the street from the Froghouse. My wife and I own three properties in the neighborhood....6708, 6706 W. Oceanfront and 6707 Seashore. We have nothing but great things to say about how important this establishment is to our community, on multiple levels.

Our company, based in Costa Mesa, is called Hurley. We are a subsidiary of Nike Inc. We are approximately a Three Hundred million dollar a year surf Company. We are also owners in "A" Restaurant in Newport.....As surfing has become important to the modern world....."surfing the internet"..."stoked"....., the Frog House continues to be an iconic Newport Beach Landmark. The city of Huntington Beach is called "Surf City USA", and has reaped many commercial and community benefits from being "surf friendly"

Having a unique asset like the Frog House in Newport.....enhances Newport Beach's reputation as an important Beach Community. The local restaurants and other businesses also benefit greatly...let alone the fabulous kids in the neighborhood.....we would hate them going to Huntington to buy their surf gear.

I urge you to please vote to keep the Frog House in Newport!

Respectfully,

Bob Hurley

Chairman and Founder Hurley LLC

Subsidiary Nike Inc.

Concerned taxpayer:)

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Monday, April 04, 2011 1:18 PM
To: Burns, Marlene
Subject: FW: Zoning Decision

From: Dean Taylor [<mailto:rinduck@yahoo.com>]
Sent: Monday, April 04, 2011 1:00 PM
To: rhawkins@earthlink.net
Subject: Zoning Decision

Mr. Hawkins -

I am writing today as a concerned citizen who has spent quite a bit of my life either visiting or living in, Newport Beach. The purpose of this message is to convey my support for one of the truly legacy businesses in Newport Beach, The Frog House. The Frog House has long been a fixture in West Newport and is recognizable to all those who pass by it each day. I would imagine it is also a fond memory for those who visit Newport Beach each summer.

I understand that the Frog House has been caught in a zoning issue that jeopardizes its ability to continue supporting the local community, if at all to exist. It would be a real travesty to allow this to happen. Many surfers, locals, beach visitors and other customers would be somewhat harmed by forcing the The Frog House to close in this location and for what purpose?

While I fondly recall the days where the roadsides thru West Newport and into Huntington were dirt/sand parking areas and believe that more infrastructure is not necessarily good for the city, I do understand that changes need to be made. What I do not support is change for the sake of change. There are many businesses in the West Newport area that do not appear to be affected by this zoning law. I'm not sure why this is, but it does appear that the analysis supporting the zoning law was not done in a complete manner. Even so, there needs to be some rationalization that would acknowledge that long-time existing businesses, such as the Frog House, would be "grandfathered in". In time, it may be appropriate to enforce such a zoning law if the original businesses either moved to other locations or went out of business.

I am strongly behind modifying the zoning restrictions to allow The Frog House to continue in their present location unhindered. The city will not be impacted and the residents are clearly beneficiaries from this decision. It's the right thing to do.

Sincerely,

Dean Taylor
949.230.9108

Burns, Marlene

From: rhawkins@earthlink.net
Sent: Monday, April 04, 2011 10:13 PM
To: Burns, Marlene; rhawkins@earthlink.net
Subject: Frog House to plead its case before Planning Commission

This story was sent to you by: Robert C. Hawkins

Frog House to plead its case before Planning Commission

Staff recommends approving application, but questions the building's looks.

By Mike Reicher, mike.reicher@latimes.com

April 4 2011, 8:58 PM PDT

The Frog House surf shop will take another leap toward preservation Thursday when the Newport Beach Planning Commission reviews its application to remain a business.

The complete article can be viewed at:

<http://dailypilot.trb.com/news/education/tn-dpt-0405-froghouse-20110404,0,6661663.story>

Visit Daily Pilot at <http://dailypilot.trb.com>

dailypilot.com/news/education/tn-dpt-0405-froghouse-20110404,0,6661663.story

Daily Pilot

Frog House to plead its case before Planning Commission

Staff recommends approving application, but questions the building's looks.

By Mike Reicher, mike.reicher@latimes.com

8:58 PM PDT, April 4, 2011

The Frog House surf shop will take another leap toward preservation Thursday when the Newport Beach Planning Commission reviews its application to remain a business.

Owner TK Brimer and representatives of other properties on West Coast Highway will present their case about why the city shouldn't require their land to be used for residential purposes.

A city law intended to displace some drug recovery homes from residential neighborhoods also affects the 50-year-old shop, an animal shelter and a party planning store.

advertisement



City planning staff members recommended approving their application, but had some reservations.

The [staff report](#) reads: "Although the Frog House has a strong following that supports its continued economic success, aesthetically, the property detracts from the overall district."

Brimer said he was concerned that city officials may decide that his eclectic building doesn't fit in with their vision for Newport Beach.

"Not all of Newport needs to look like Newport Coast," he said. "Our store, it harkens back to an earlier beach scene."

While a Facebook page supporting the Frog House has more than 3,500 members, Brimer said he expects about 25 to show up for Thursday's meeting.

Later, the application will go to the City Council and then the California Coastal Commission for review.

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Monday, April 04, 2011 10:08 PM
To: Burns, Marlene
Subject: Fw: Support for Frog House!

-----Forwarded Message-----

From: Monique Allison
Sent: Apr 4, 2011 7:11 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Support for Frog House!

Aloha!

I'm writing you to express my support for allowing the Froghouse to remain at their current property. They are an integral part of West Newport and should be allowed to continue providing service to both residents and visitors of Newport Beach. 12,500 people out there put "like" on the Facebook page, expressing support as well. Please take that into account, as you make your decision. I live on the Big Island and I recognize supporters that live over 250 miles away from Newport. The frog house has been around as long as I remember and I often make a stop when in town every couple of months. It has supported the surf community for decades and was a staple when growing up and hanging at Grant Street. The frog house has a lot of 'mana' and perpetuates the culture of the Newport surf community, put the values over the task and you will always get success.

Thanks for your consideration!

Mahalo,
Monique Allison
Allisonassociates.monique@gmail.com
808.896.1065

Burns, Marlene

From: Garcia, Jay
Sent: Tuesday, April 05, 2011 11:02 AM
To: Burns, Marlene
Subject: FW: Kindly Consider the The Frog House

PA2010-182
PA2010-190
PA2011-014

-----Original Message-----

From: Dandy O'Shea [<mailto:dandyoshea@mac.com>]
Sent: Monday, April 04, 2011 9:53 PM
To: Campbell, James; Alford, Patrick; Garcia, Jay
Subject: Fwd: Kindly Consider the The Frog House

> Dearest Commissioners,

>

> Please take careful and kind consideration while reviewing all matters regarding our local treasure, The Frog House. It is part of the landscape of West Newport, a welcome sign to visitors and home to locals. For years, it is a trusted resource where the always terrific TK and his great staff have provided us the wonderful tools to enjoy what is really makes our town so special - the ocean. Please consider that this shop is well loved and patronized. The Frog House is well maintained, managed and provides a valued service. There is something else about Newport that makes it special, there is no other place in the world like it. The Frog House is unique, The Frog House is Newport! I appreciate any time spent to take careful and loving consideration for a place that is sewn into the fabric of Newport, changing it will be pulling at the fabric of our wonderful local vibe. Please feel free to contact me should you like to discuss this The Frog House and the connection it has to our city.

>

> Kind regards,

>

> Dandy O'Shea
> 2 Spanish Bay Drive
> Newport Beach, CA 92660
> 949-644-9990

Burns, Marlene

From: Garcia, Jay
Sent: Tuesday, April 05, 2011 11:02 AM
To: Burns, Marlene
Subject: FW: Please allow the Froghouse to continue in the current location.

From: Mark Freeman [\[mailto:msurfz@gmail.com\]](mailto:msurfz@gmail.com)
Sent: Saturday, April 02, 2011 10:22 AM
To: Campbell, James; palford@city.newpor-beach.ca.us; Garcia, Jay
Subject: Fw: Please allow the Froghouse to continue in the current location.

Dear Newport Planning Commission members,
I'm writing you to express my support for allowing the Froghouse to remain at their current property.

They are an integral part of West Newport and should be allowed to continue providing service to both residents and visitors of Newport Beach. 12,375 people out there put "like" on the Facebook page, expressing support as well. Please take that into account, as you make your decision.

Thanks for your consideration!
Regards,
Mark Freeman

Burns, Marlene

From: Garcia, Jay
Sent: Tuesday, April 05, 2011 11:01 AM
To: Burns, Marlene
Subject: FW: The Froghouse

From: Anna Prober [<mailto:annaprober@cox.net>]
Sent: Friday, April 01, 2011 9:49 PM
To: campbell@city.newport-beach.ca.us; Garcia, Jay
Cc: palford@city.newpor-beach.ca.us
Subject: The Froghouse

Esteemed City Planning Commission Staff and Members,

I am writing to save the Froghouse. Plain and simple. I grew up a few houses away from there, and for me it is one of the last jewels Newport has to offer that has not been engulfed in the development so many other beach cities have seen. Tom and Linda, the owners, are long time family friends as well. I grew up alongside their children and as a child I was surrounded by the love their home exuded.

The Froghouse is simply an extension of true home values that are being lost by many cities and businesses today.

Tom has given SO much to the community, its youth, and surfing in general.

The work he has done and the investment he has made into our community is impossible to put into words.

It saddens me to imagine the loss of not just a store front... but of the values Tom and his staff express to everyone that walks in, every life he touches.

A feeling of coming home.

Heads I pay, tails it's free. (It's what Tom told all of us when buying surfwax as kids)

Please don't take this as lightly as a coin toss, but do keep in mind the gravity of once something is lost, a place we've all called "home" it can never be brought back.

Please, SAVE THE FROGHOUSE!!!!

Warm Regards,

Anna O'Bourke- Prober

Burns, Marlene

From: Garcia, Jay
Sent: Tuesday, April 05, 2011 11:01 AM
To: Burns, Marlene
Subject: FW: Frog House

From: Rudy Huebner [<mailto:rudy@rudyland.net>]
Sent: Friday, April 01, 2011 9:33 PM
To: Campbell, James; Alford, Patrick; Garcia, Jay
Subject: Frog House

Hello,

I am writing you in regards to the current situation concerning the Frog House. My name is Rudy; I live in Hawaii, but grew up in Huntington Beach. The Frog House, and especially TK and his crew, are truly unique in that they have created a haven of authenticity and camaraderie that is unlike anything I have found anywhere else. The Frog House has such a colorful history and is home to several generations of surfers; to lose this would be tragic. In my personal experience, when I began my journey as a surfer, TK sold me my first board and wetsuit. I soon found myself at the Frog House regularly, surfing out front with TK, Mikey and the boys, and talking story in the shop afterwards. The Frog House is more than just a surf shop; it's a gathering place where all are made welcome, from seasoned pros to humble beginners. Myself, and countless others, are so loyal to the Frog House that we simply won't shop anywhere else.

Allowing the Frog House to continue its operations is a great asset to the community, not only for locals, but for all the summer tourists who surf their first waves on Frog House rental boards. To deprive the community of all the Frog House has to offer would be a devastating loss; it's one of the last true, core surf shops around that hasn't been homogenized. The Frog House is a very special place, run by surfers, for surfers. From an outsiders perspective, our culture may seem hard to understand, but that doesn't make it any less sacred. Because of this, the Frog House can't be treated as just another standard retail location; it plays a critical role in local surf history and culture, and should be preserved for future generations. City of Newport, please let the Frog House stay.

Aloha,
R

--

Rudy Huebner

Graphic Design + Web Development + Photography

949/751-8799

<http://rudyland.net>

Burns, Marlene

From: Garcia, Jay
Sent: Tuesday, April 05, 2011 11:01 AM
To: Burns, Marlene
Subject: FW: Please Do What You Can To Save the Froghouse

-----Original Message-----

From: Daiquiri Scherer [<mailto:daiquirischerer@gmail.com>]
Sent: Friday, April 01, 2011 8:33 PM
To: Campbell, James; palford@city.newpor-beach.ca.us; Garcia, Jay
Subject: Please Do What You Can To Save the Froghouse

Dear Commissioners,

I am writing you to urge you to please make the zoning change to allow the historical Frog House to stay. My in-laws live in Newport Shores. I want my children to have the wonderful experience of a mom-in-pop store trying to provide their customers with personal and friendly service that cares. Growing up in Huntington Beach, I would always look out for the Frog House sign and persuade my father into taking us in to buy surf stickers. My brothers would buy their surf accessories at the Frog House because the staff were experienced and honest. Our culture today is full of big business deciding what we should like and buy. It makes me lose faith in humanity to think that the Frog House could lose their shop due to zoning. If they were big business, they would most likely be able to pay for these changes. Please help our society reflect that even if you are a small company, you can achieve success, by working hard and providing your customers with honest business.

I urge you to please do everything you can for the Frog House.

Sincerely,
Daiquiri Scherer
a mother

Burns, Marlene

From: Garcia, Jay
Sent: Tuesday, April 05, 2011 11:01 AM
To: Burns, Marlene
Subject: FW: Frog House
Attachments: image001.jpg; dennis photo email.jpg

From: Dennis Bress - IEEI.COM [<mailto:dennis@ieei.com>]
Sent: Friday, April 01, 2011 8:22 PM
To: Campbell, James; palford@city.newpor-beach.ca.us; Garcia, Jay
Subject: Frog House

Hi Everyone, this is Dennis Bress Jr, here on Balboa Island.

Long time resident in our beautiful city of Newport Beach.

I have heard and read about the Frog House and how they have to continue a process with the city to keep and stay in their location.

<http://www.ocregister.com/articles/-268948--.html>

As a resident, I feel this is a great opportunity and "Teaching" moment where with a positive attitude and a helpful and grateful city, could show the citizens, especially our young folks, that working with the city is a process and if done right, common sense will win out and all parties will be happy and the Frog House, one of our beloved Surf shops will continue in its long time location for another generation.

How great, and lucky we are to have this opportunity and with a business that really is the life of Newport, our beautiful Pacific Ocean and surfing.

We have so much to be thankful for in our beautiful city, and btw I was at the opening of the new Oasis Center, OMG, it is beautiful!!!!!! I am 48 and two more years can't wait to be a gym member.

Thank you or your time and efforts to keep and make our city so great.....and go USA!!!!



Best Regards,

Dennis Bress
President / CEO
714-878-1276

Burns, Marlene

From:	Robert C. Hawkins [rhawkins@earthlink.net]	West Newport Amendments
Sent:	Thursday, April 07, 2011 1:32 PM	PA2010-182
To:	Burns, Marlene	PA2010-190
Subject:	FW: The Frog House	PA2011-014

-----Original Message-----

From: Patrick Knowles [<mailto:patrick.r.knowles@gmail.com>]
Sent: Thursday, April 07, 2011 10:43 AM
To: cwunsworth@roadrunner.com; eaton727@earthlink.net; strataland@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: The Frog House

----- Original Message -----

Subject: The Frog House
From: Patrick Knowles <patrick.r.knowles@gmail.com>
To: emcdaniel@sunwestbank.com
CC:

Hello,

I'm writing in response to the zoning issue involving the froghouse. The Froghouse has been a part of the community for a very long time and should be considered a landmark.

The area it resides in is a surf and beach, typical California refuge. Tearing it down as a face lift or botox like effect isn't going to make the area look any younger.

It has been a part of the community for far too long to receive so little consideration.

Patrick Knowles

Sent from my MetroPCS Wireless Phone

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 1:32 PM
To: Burns, Marlene
Subject: FW: Frog House; Newport's cherished Beach Culture Icon

From: Barker, Matthew (Hurley) [mailto:Matthew_Barker@hurley.com]
Sent: Thursday, April 07, 2011 10:58 AM
To: cwunsworth@roadrunner.com; cwunsworth@roadrunner.com; strataland@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com; eaton727@earthlink.net
Subject: Frog House; Newport's cherished Beach Culture Icon

Dear Newport Beach City Leader,

The Frog House Surf Shop on PCH is as Iconic and vital to Newport Beach's identity as; The Dory Fleet, The Ferry, and Balboa Fun Zone. The city is clearly known for its unique "Ocean/Beach Oriented Culture" of which The Frog House Surf Shop is a cherished piece of this important culture.

For 24 years of my life, I was a supply to the surf shops from Santa Cruz to San Diego. Each beach town has its Iconic Surf Shop that they are proud of. After all my travels I can tell you: The Frog House Surf Shop stands as the best example of an Iconic Surf Shop that serves the community and its beach culture.

Take a trip thru any PCH Town, and you will find the Local Surf Shop as one of the longest standing businesses on the coast. Newport Beach needs The Frog House Surf Shop as part of its beach town charm far more than another bankrupt import car dealer, or boat dealer.

Please recognize the cultural and community value of the Frog House Surf Shop and allow it to continue to service the community for decades to come.

Respectfully,
Matthew Barker

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 1:32 PM
To: Burns, Marlene
Subject: FW: Save the Frog House

-----Original Message-----

From: Jamie Dow [<mailto:jamiedow@gmail.com>]
Sent: Thursday, April 07, 2011 1:11 AM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com;
strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net;
bhillgren@highrhodes.com; ameri@rbf.com
Subject: Save the Frog House

Hello, my name is Jamie Dow and I've been a Newport Beach resident for 29 years. I am writing you in advance of tomorrow's planning commission meeting where I have heard you will be voting on the fate of TK's Frog House. I would like to voice my support for the Frog House, and ask that you please vote to approve the requested zoning change. Considering the Frog House has been in that location for decades, it seems strange to pull the rug out from under them at this point in time. They are a respected business and have a large following, they employ residents of our fair city and contribute to local economic activity. I see no reason that a unique and historic storefront should be eliminated to make way for just another house.

I thank you for your consideration of this issue. Please let the Frog House stay.

-Jamie Dow=

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 1:32 PM
To: Burns, Marlene
Subject: FW: What the Froghouse means to me

From: Jason Hall [<mailto:uoptennisace12@hotmail.com>]
Sent: Wednesday, April 06, 2011 11:37 PM
To: cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: What the Froghouse means to me

Dear City Council Members/ Zoning Commission,

I am writing to you in order to try and convince you to right a wrong. While the zoning of the Froghouse might be legally incorrect, a simple change or individual exception in the zoning will allow a Newport Beach landmark to be an unofficial welcome to the city of Newport Beach when entering the city south on PCH.

I currently live and have lived in Huntington Beach my entire life and frequent the wonderful dining establishments and recreation sites that Newport Beach has to offer. Each time I drive by and see the bright mural on the side of the Froghouse I can't help but smile. This is the place that I purchased my very first wetsuit, surfboard and other surf items that I need and have nothing but wonderful memories. This place is owned by one of the nicest people you will ever meet. I got to know the family well as I grew up around the Brimer's during my years playing AYSO with TK's son.

Please do the right thing and show your support for a long time, local small business owner.

-Jason Hall

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 1:31 PM
To: Burns, Marlene
Subject: FW: zoning change for established business

From: Miguel Vasquez [<mailto:mvasquez@coastalrim.com>]
Sent: Wednesday, April 06, 2011 11:27 PM
To: ameri@rbf.com; rhawkins@earthlink.net; bhillgren@highrhodes.com; eaton727@earthlink.net; strataland@earthlink.net; cwunsworth@roadrunner.com
Subject: zoning change for established business

Dear Council & Commissioners,

I'm writing you to express my support to allow the Froghouse to continue operating at their current property location. The Froghouse has been an institution of the surfing culture since it's inception and a reflection of the character from which many of your constituents' are born from. For all my years of living in and enjoying Newport Beach, the Froghouse has always been a place where everyone from the hardcore local river jetty surfer, to the weekend warrior, could come and share their experiences, questions, and aspirations with like minded surfers. A place where we can we buy our surfboards and gear for the next surf adventure, or swap stories about the morning surf session.

The fact that City staff has zeroed in on the conditional use and challenging of its zoning reflects an overreach of staff powers. The Froghouse does not keep homeowners and local residents up at night. The Froghouse employees are not throwing out cigarettes and empty beer bottles onto the neighborhood streets. This is a diligent, hard working crew, led by a very caring owner/operator, who genuinely cares about his neighborhood, the current residents & visitors, and the young children who will be future residents/owners in newport beach. Staff needs to wake up and focus on real issues vs. going after established local businesses that are putting sales tax dollars back into city coffers. Instead of spending tax payer funds on staff time, why don't we install some showers at our beach entrances? How about a sidewalk connection to the bike path from the north termination of Seashore and the river mouth?

The Froghouse is an integral part of West Newport and should be allowed to continue providing service to both residents and visitors of Newport Beach. There are currently 12,375 people out there who indicated a "like" on the Facebook page, expressing support as well. Please take that into account, as you make your decision. That is almost 20% of your city population, which includes CDM and Newport Coast, of which neither has an established boutique surf shop COMMITTED to your city!

Thank you for your consideration, I have faith that you will make the correct decision for your town and community. Don't let us turn into another water downed oc town.....

Respectfully,
Miguel Vasquez

Formerly of,
1212 West Balboa Blvd.
&
1295 Ocean Front, Balboa

Miguel Vasquez
VP Development Services
Coastal Rim Properties, Inc.
One MacArthur Place, Suite 100
Santa Ana, CA 92707
714.914.9514 cell
714.708.0873 wk
714.708.2130 fax
www.coastalrim.com
mvasquez@coastalrim.com

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 1:31 PM
To: Burns, Marlene
Subject: FW: The Frog House

From: Robert Rothwell [<mailto:rbrothwell@gmail.com>]
Sent: Wednesday, April 06, 2011 9:57 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: The Frog House

Dear Planning Commissioners,

As you prepare to vote on the fate of the storied Frog House tomorrow I hope that you take the time to think about history. Not just the Frog House's history or even the city's, but the history of surfing culture in Newport Beach. The Frog House has been a land mark location for surfers young and old for generations. In this modern age in which we are so quick to destroy in the name of progress I hope you can see the immense value in preserving a piece of our heritage. Please allow the Frog House to stay.

Sincerely,

Robert Rothwell

Lifelong resident of Newport Beach and proud supporter of the Frog House.

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 1:31 PM
To: Burns, Marlene
Subject: FW: Let the Froghouse Stay

From: Lindsay Glacy [<mailto:lindsay.christian@hotmail.com>]
Sent: Wednesday, April 06, 2011 9:17 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Cc: cyst@tribune.com
Subject: Let the Froghouse Stay

Dear committee members:

I am writing in regards to the abatement letter given to the Frog House on PCH. I am a concerned citizen and local entrepreneur and I find your basis for the abatement unsubstantiated and highly subjective. In regards to the "aesthetic appeal" of the Frog House the criteria used as the basis of the abatement is nothing more than the whims of those who hold some sway over the public officials in Newport Beach. It is the job of the local magistrate not to capitulate to the subjective griping of few but to protect its citizens and businesses that provide services therein, not to put an end to a business because it doesn't meet with the strategy of the planning committee.

I personally and professionally find this action as an extreme abuse of power on behalf of the city government. If the abatement stays in place it will prove that the Newport Beach planning commission and the city council are not in favor of local business, maintaining its historical roots, or listening to the voice of its citizens and patrons that bring tax dollars to the city through the Frog House. This action would be a travesty not only to TK and his Frog House but to the entrepreneurial spirit that built this country and built your city.

Please revoke the abatement and allow the Frog House to remain in its current place of business as it has for the last 44+ years.

Sincerely,
Lindsay

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 1:31 PM
To: Burns, Marlene
Subject: FW: Save The Frog House

From: Carey A Bledsoe [<mailto:ca.bledsoe@mac.com>]
Sent: Wednesday, April 06, 2011 7:08 PM
To: Robert Hawkins
Cc: TK Brimmer
Subject: Save The Frog House

Dear Sir,

I am writing to petition your support with the upcoming zoning changes in the City of Newport Beach that will allow The Frog House to remain at its current location.

As a 1982 graduate of Huntington Beach High School I was fortunate to grow up in one of the most beautiful places in the world. I learned to surf at River Jetties in Newport Beach in 1978.

The Frog House has been a classic surf shop for as long as I can remember. It is a landmark destination for surfers throughout Southern California and is known, respected and frequented, from surfers coming to visit our great state from around the world.

It would be a tremendous loss to so many if The Frog House lost its current location.

Finally, I would like to add that over the many years I have had the opportunity to get to know the owner of The Frog House, Mr. T.K. Brimmer, on both a professional and social level. Mr. Brimmer is an outstanding individual. He is the type of person that would give a complete stranger the shirt off his back whilst expecting nothing in return. I am aware of his deep roots in both the surf community and Newport Beach community as a whole. He has supported countless groups and athletic teams, through generous donations, and continues to help serve the community everyday.

Mr. Brimmer and The Frog House need to stay put at there existing location!

Thank you for your time. Sincerely,

Dr. Carey A. Bledsoe

Sent from my iPad

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 1:31 PM
To: Burns, Marlene
Subject: FW: Save The Frog House

From: Carey A Bledsoe [<mailto:ca.bledsoe@mac.com>]
Sent: Wednesday, April 06, 2011 6:40 PM
To: Robert Hawkins
Cc: TK Brimmer
Subject: Save The Frog House

Dear Sir,

I am writing to petition your support with the upcoming zoning changes in the City of Newport Beach that will allow The Frog House to remain at its current location.

As a 1982 graduate of Huntington Beach High School I was fortunate to grow up in one of the most beautiful places in the world. I learned to surf at River Jetties in Newport Beach in 1978.

The Frog House has been a classic surf shop for as long as I can remember. It is a landmark destination for surfers throughout Southern California and is known, respected and frequented, from surfers coming to visit our great state from around the world.

It would be a tremendous loss to so many if The Frog House lost its current location.

Finally, I would like to add that over the many years I have had the opportunity to get to know the owner of The Frog House, Mr. T.K. Brimmer, on both a professional and social level. Mr. Brimmer is an outstanding individual. He is the type of person that would give a complete stranger the shirt off his back whilst expecting nothing in return. I am aware of his deep roots in both the surf community and Newport Beach community as a whole. He has supported countless groups and athletic teams, through generous donations, and continues to help serve the community everyday.

Mr. Brimmer and The Frog House need to stay put at there existing location!

Thank you for your time. Sincerely,

Dr. Carey A. Bledsoe

Sent from my iPad

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 1:31 PM
To: Burns, Marlene
Subject: FW:

From: Travis Lagerlof [mailto:travis_lagerlof@sbcglobal.net]
Sent: Wednesday, April 06, 2011 5:17 PM
To: rhawkins@earthlink.net
Subject:

Dear Mr. Robert Hawkins,

Description: General Plan Amendment and LCP Amendment

PA2010-182

Frog House

6908 W. Coast Hwy

Newport Beach, CA 92663

I am reaching out to show my support of the proposed zoning change for the property occupied by the FrogHouse, 6908 W. Coast Highway. I have been a Newport Beach resident and grew up right behind the shop. I have good faith in the decision that you and your colleagues will ultimately make because you are aware of how it will affect the community.

It is my understanding that the lot that the FrogHouse occupies was zoned for residential use over 30 years ago. But this ordinance was never enforced until 2008 targeting rehab homes, boarding houses, fraternities and sororities. I also understand that enforcing the zoning ordinance will force property values up but will also result in a neighborhood surf shop, which has been in business for decades, to close down.

I believe that the proposed zoning change for the property aforementioned will be a huge travesty should it not be approved. By changing the zoning, this will preserve the heritage of the city's surfing community. The shop has been a Pacific Coast Highway landmark for half a century and after nearly fifty years of complaint free operation I believe the proposed zoning change should be strongly considered. It is not a big secret that the surfing community of Newport has been and will be an integral part of the city's culture. The Froghouse moved to that location in 1962 and it is the 2nd oldest surf shop in California. Making the change will truly indicate that the voice of the people are being heard and that you along with your colleagues are sensitive to the needs of the community residents. I am sure you have always been sensitive to the preservation of the unique character of our neighborhoods and maintaining the family

strengths of our community. The Froghouse is a family run business with deep seated roots within our community. I urge you to vote in favor of the zoning change and let future generations enjoy a historical site that is the last of a dying breed. The Froghouse is a historical site that stays true to the idea of Newport's surf heritage and is a living tribute... never to be touched.

If I can help in any way to push the proposed amendment please let me know. Thank you for your thoughtful consideration,

Travis Lagerlof

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 1:30 PM
To: Burns, Marlene
Subject: FW: April 7th Planning Commission Meeting

From: Eric Overturf [<mailto:eroverturf@gmail.com>]
Sent: Wednesday, April 06, 2011 4:09 PM
To: cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: Re: April 7th Planning Commission Meeting

Dear Members of the Planning Commission,

I'm writing you to express my support for the Froghouse request for zoning change to remain at their current property. They are a vital part of West Newport and should be allowed to continue providing service to both residents and visitors of Newport Beach. Please take into account the service that TK and his staff provide, not only to Newport Beach but to the surrounding cities, as you make your decision. Thanks for your consideration.

Sincerely,

Eric Overturf

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 1:30 PM
To: Burns, Marlene
Subject: FW: Please Save the Froghouse!

From: Gray_Mitchell [mailto:Gray_Mitchell@Allergan.com]
Sent: Wednesday, April 06, 2011 11:10 AM
Subject: Please Save the Froghouse!

Dear board member,

My name is Mitchell Gray. I am the 4th generation to be born and raised in Newport Beach and now have a 16 month old son with a daughter on the way, that will be the 5th. My great grandfather built the home, that still stands today on 33rd st., where my Grandmother and Grandfather (Kay and Bill Brown, if you are familiar with Newport Harbor Football, then COACH Brown) still live to this day. I was raised there and my Mother (Julie Brown) with her 4 siblings (Debbie, Sue, Tim and Bill Brown) before me. The history that once was such a huge part of Newport (I remember when the bluffs really were the bluffs) is slowly being pushed to the wayside. It saddens me, as I now have children that I would love to share all of those great childhood memories with, that I hold so dearly to me. My first wetsuit was bought at the Froghouse and I now have been surfing for more than 24 years. I would love to take my son and daughter there in the near future in order to continue the tradition. However, that might not be a possibility. The Froghouse is not just a retail shop like the rest of the corporate surf shops that now seem to crowd our coastline; it is the 2nd oldest surf shop in California and should be marked as a landmark for the City of Newport Beach. Please do not take away the memories I have there as a child and young adult and in the process destroy the great memories I hope to have with my kids in the near future. Thank you for your time and please keep some of the fundamental roots that make Newport Beach such a great place to grow up intact.

Proud Newport Beach Local,

Mitchell Gray

.....

Mitchell Gray | Clinical Project Assistant
Ophthalmology Clinical Research
Allergan, Inc.
2525 Dupont Drive
Irvine, CA 92612-1599
Telephone: (714) 246-4719
Fax: (714) 796-3123
Email: Gray_Mitchell@Allergan.com

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Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 1:26 PM
To: Burns, Marlene
Subject: FW: Save the Froghouse!!!

From: jr/lc [<mailto:jraycali@gmail.com>]
Sent: Thursday, April 07, 2011 12:15 PM
To: cwunsworth@roadrunner.com
Cc: strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com; emcdaniel@sunwestbank.com
Subject: Save the Froghouse!!!

SUBJECT: SAVE THE FROGHOUSE – PA2010-182

To whom it may concern:

Description: General Plan Amendment and LCP Amendment

PA2010-182

Frog House

6908 W. Coast Hwy

Newport Beach, CA 92663

I am reaching out to show my support of the proposed zoning change for the property occupied by the FrogHouse, 6908 W. Coast Highway. My family has been utilizing the Frog House for surfing equipment since 1962. My brother worked there for quite awhile as a teenager. TK has been a good lifelong friend to him and serves as a great role model and is a mentor to many of the young kids who frequent his store. He has always done this. Can't imagine how the loss of this landmark store would affect this. It's not just a matter of the building!!

It is my understanding that the lot that the FrogHouse occupies was zoned for residential use over 30 years ago. But this ordinance was never enforced until 2008 targeting rehab homes, boarding houses, fraternities and sororities. I also understand that enforcing the zoning ordinance will force property values up but will also result in a neighborhood surf shop, which has been in business for decades, to close down.

I believe that the proposed zoning change for the property aforementioned will be a huge travesty should it not be approved. By changing the zoning, this will preserve the heritage of the city's surfing community. The shop

has been a Pacific Coast Highway landmark for half a century and after nearly fifty years of complaint free operation I believe the proposed zoning change should be strongly considered. It is not a big secret that the surfing community of Newport has been and will be an integral part of the city's culture. The Froghouse moved to that location in 1962 and it is the 2nd oldest surf shop in California. I'm sure that the surfing community is very important to the financial health of Newport Beach as well. I, myself, frequent many restaurants, shops, etc in the Newport Community. I will not if this is approved and will encourage my friends and family to also avoid Newport at all costs.

Making the change will truly indicate that the voice of the people are being heard and that you along with your colleagues are sensitive to the needs of the community residents. I am sure you have always been sensitive to the preservation of the unique character of our neighborhoods and maintaining the family strengths of our community. The Froghouse is a family run business with deep seated roots within our community. I urge you to vote in favor of the zoning change and let future generations enjoy a historical site that is the last of a dying breed. The Froghouse is a historical site that stays true to the idea of Newport's surf heritage and is a living tribute... never to be touched. It provides much needed character and color to an otherwise really boring landscape along PCH.

If I can help in any way to push the proposed amendment please let me know. Thank you for your thoughtful consideration,

Jackie Ray-Wienenga

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 1:26 PM
To: Burns, Marlene
Subject: FW: SAVE THE FROGHOUSE - PA2010-182

From: Julie Vint [<mailto:julie.vint@gmail.com>]
Sent: Thursday, April 07, 2011 12:54 PM
To: undisclosed-recipients:
Subject: SAVE THE FROGHOUSE - PA2010-182

Dear Sirs:

Description: General Plan Amendment and LCP Amendment

PA2010-182

Frog House

6908 W. Coast Hwy

Newport Beach, CA 92663

I am reaching out to show my support of the proposed zoning change for the property occupied by the Froghouse, 6908 W. Coast Highway. I have been a Newport Beach resident and my best friend grew up right next to the shop. Her mom has worked at the Froghouse for over 20 years and many of my closest friends have worked, and some still work, there. I can honestly say that almost all of the friends that I have made since moving to Newport in 1995, I have met through the Froghouse. It has been an integral part of my life, as well as my family's. My 15 year old brother hopes to have his first job at the Froghouse, just like my friend Joe, whom he looks up to. I have good faith in the decision that you and your colleagues will ultimately make because you are aware of how it will affect the community. I cannot imagine Newport Shores without the Froghouse.

It is my understanding that the lot that the Froghouse occupies was zoned for residential use over 30 years ago. But this ordinance was never enforced until 2008 targeting rehab homes, boarding houses, fraternities and sororities. I also understand that enforcing the zoning ordinance will force property values up but will also result in a neighborhood surf shop, which has been in business for decades, to close down.

I believe that the proposed zoning change for the property aforementioned will be a huge travesty should it not be approved. By changing the zoning, this will preserve the heritage of the city's surfing community. The shop has been a Pacific Coast Highway landmark for half a century and after nearly fifty years of complaint free operation I believe the proposed zoning change should be strongly considered. It is not a big secret that the surfing community of Newport has been and will be an integral part of the city's culture. The Froghouse moved to that location in 1962 and it is the 2nd oldest surf shop in California.

Making the change will truly indicate that the voice of the people are being heard and that you along with your colleagues are sensitive to the needs of the community residents. I am sure you have always been sensitive to

the preservation of the unique character of our neighborhoods and maintaining the family strengths of our community. The Froghouse is a family run business with deep seated roots within our community. I urge you to vote in favor of the zoning change and let future generations enjoy a historical site that is the last of a dying breed. The Froghouse is a historical site that stays true to the idea of Newport's surf heritage and is a living tribute... never to be touched.

If I can help in any way to push the proposed amendment please let me know. Thank you for your thoughtful consideration,

Julie Ann Vint
Hexberg Family Foundation
Officer - Secretary

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 10:29 AM
To: Burns, Marlene
Subject: FW: The Frog House
Attachments: image001.png

From: Randall Taylor [<mailto:rtaylor@saltoptics.com>]
Sent: Thursday, April 07, 2011 8:48 AM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: The Frog House

Please strongly consider saving The Frog House. This place is an iconic piece of Newport Beach.
Sincerely,
Randall Taylor

SALT.

THE INDEPENDENT OPTICS COMPANY

1607 MONROVIA AVENUE
COSTA MESA, CALIFORNIA 92627
(T): 949.574.3800 (F): 949.574.3804
(W): SALTOPTICS.COM



Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 10:28 AM
To: Burns, Marlene
Subject: FW: SAVE THE FROGHOUSE - PA2010-182

From: Lance Mokuau [<mailto:lance@leschermarketing.com>]
Sent: Thursday, April 07, 2011 10:20 AM
To: ameri@rbf.com; bhillgren@highrhodes.com; rhawkins@earthlink.net; eaton727@earthlink.net; strataland@earthlink.net; cwunsworth@roadrunner.com; emcdaniel@sunwestbank.com
Subject: SAVE THE FROGHOUSE - PA2010-182

Dear Commisioners

Description: General Plan Amendment and LCP Amendment

PA2010-182
Frog House
6908 W. Coast Hwy
Newport Beach, CA 92663

I am reaching out to show my support of the proposed zoning change for the property occupied by the FrogHouse, 6908 W. Coast Highway. I have been a Newport Beach resident and grew up right behind the shop. I have good faith in the decision that you and your colleagues will ultimately make because you are aware of how it will affect the community.

It is my understanding that the lot that the FrogHouse occupies was zoned for residential use over 30 years ago. But this ordinance was never enforced until 2008 targeting rehab homes, boarding houses, fraternities and sororities. I also understand that enforcing the zoning ordinance will force property values up but will also result in a neighborhood surf shop, which has been in business for decades, to close down.

I believe that the proposed zoning change for the property aforementioned will be a huge travesty should it not be approved. By changing the zoning, this will preserve the heritage of the city's surfing community. The shop has been a Pacific Coast Highway landmark for half a century and after nearly fifty years of complaint free operation I believe the proposed zoning change should be strongly considered. It is not a big secret that the surfing community of Newport has been and will be an integral part of the city's culture. The Froghouse moved to that location in 1962 and it is the 2nd oldest surf shop in California.

Making the change will truly indicate that the voice of the people are being heard and that you along with your colleagues are sensitive to the needs of the community residents. I am sure you have always been sensitive to the preservation of the unique character of our neighborhoods and maintaining the family strengths of our community. The Froghouse is a family run business with deep seated roots within our community. I urge you to vote in favor of the zoning change and let future generations enjoy a historical site that is the last of a dying breed. The Froghouse is a historical site that stays true to the idea of Newport's surf heritage and is a living tribute... never to be touched.

If I can help in any way to push the proposed amendment please let me know. Thank you for your thoughtful consideration,

Lance Mokuau

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 10:29 AM
To: Burns, Marlene
Subject: FW: Save the FrogHouse

From: Taylor Patton [<mailto:taylorpatton911@yahoo.com>]
Sent: Thursday, April 07, 2011 9:25 AM
To: rhawkins@earthlink.net
Subject: Save the FrogHouse

Dear Commissioner Robert Hawkins,

My name is Taylor Patton and I am emailing you in regards to the hearing tonight, April 7, that will determine the request for zoning change and the general plan amendment for the Frog House Surf shop. I am only nineteen years old and am currently furthering my education and the University of Colorado Boulder. As a born and raised Newport Beach resident and competitive surfer, the Frog House has always been there for me and helped me out with everything I needed to stay out in the water. Their location is absolutely crucial to every surfer, noting that they are the only real surf shop on the beach; or in this city. Whether you are surfing Prospect st. or River Jetties, if you need wax, a leash, or etc. they are right across the street ready to service you with what ever you need. I may be young but I do know that this surf shop and location is an iconic/historic attribute to our city. Relocating this surf shop will make it out to never be the same again. We need places like this in our city to keep the "Old Newport" in our city alive. I hereby formally ask of you to please consider voting in favor of the request for zoning change and the general plan amendment for the Frog House Surf shop. Thank you for your time.

Sincerely,
Taylor J. Patton

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 10:29 AM
To: Burns, Marlene
Subject: FW: Save The Frog House - PA2010-182

From: Robby Knutsen [<mailto:robert.knutsen@gmail.com>]
Sent: Thursday, April 07, 2011 9:34 AM
To: rhawkins@earthlink.net
Subject: Save The Frog House - PA2010-182

Dear Mr. Hawkins,

Description: General Plan Amendment and LCP Amendment
PA2010-182
Frog House
6908 W. Coast Hwy
Newport Beach, CA 92663

I am reaching out to show my support of the proposed zoning change for the property occupied by the FrogHouse, 6908 W. Coast Highway. I have been a Newport Beach resident and grew up right behind the shop. I have good faith in the decision that you and your colleagues will ultimately make because you are aware of how it will affect the community.

It is my understanding that the lot that the FrogHouse occupies was zoned for residential use over 30 years ago. But this ordinance was never enforced until 2008 targeting rehab homes, boarding houses, fraternities and sororities. I also understand that enforcing the zoning ordinance will force property values up but will also result in a neighborhood surf shop, which has been in business for decades, to close down.

I believe that the proposed zoning change for the property aforementioned will be a huge travesty should it not be approved. By changing the zoning, this will preserve the heritage of the city's surfing community. The shop has been a Pacific Coast Highway landmark for half a century and after nearly fifty years of complaint free operation I believe the proposed zoning change should be strongly considered. It is not a big secret that the surfing community of Newport has been and will be an integral part of the city's culture. The Froghouse moved to that location in 1962 and it is the 2nd oldest surf shop in California.

Making the change will truly indicate that the voice of the people are being heard and that you along with your colleagues are sensitive to the needs of the community residents. I am sure you have always been sensitive to the preservation of the unique character of our neighborhoods and maintaining the family strengths of our community. The Froghouse is a family run business with deep seated roots within our community. I urge you to vote in favor of the zoning change and let future generations enjoy a historical site that is the last of a dying breed. The Froghouse is a historical site that stays true to the idea of Newport's surf heritage and is a living tribute... never to be touched.

If I can help in any way to push the proposed amendment please let me know.

Thank you for your thoughtful consideration,
Robert Knutsen

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 10:28 AM
To: Burns, Marlene
Subject: FW: The Froghouse

-----Original Message-----

From: Adams, Robert (Hurley) [mailto:Robby_Adams@hurley.com]
Sent: Thursday, April 07, 2011 9:43 AM
To: rhawkins@earthlink.net
Subject: The Froghouse

Dear Mr. Hawkins,

I am writing you to address the matter of The Froghouse surf shop. I have shopped at that store almost my entire life. It is not only the only real surf shop left in Newport Beach, but it is a cultural icon. Newport Beach has a rich history in surfing. It would be a shame to lose the little soul that it has left. Do we have to turn every inch of our community into more housing? Please leave The Froghouse where it is. Thank you for taking time to read my plea.

Robby Adams
Creative Director Surf Marketing
robby_adams@hurley.com
714.334.1162 cell

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 10:28 AM
To: Burns, Marlene
Subject: FW: Froghouse

-----Original Message-----

From: Mangan, Ryan (Hurley) [mailto:Ryan_Mangan@hurley.com]
Sent: Thursday, April 07, 2011 10:03 AM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com;
strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net;
bhillgren@highrhodes.com; ameri@rbf.com
Cc: cyost@tribune.com
Subject: Froghouse

Gentleman,

It is with great respect that I write you today. It is my understanding the the future of TK's Froghouse may be in jeopardy due to a city law that as intended to displace some drug recovery homes from a residential neighborhood. While I feel the law has good intentions to improve a Newport Beach community, the closing of the Froghouse would be a shame for the city of Newport Beach

TK's Froghouse has been a landmark in our community for over 50 years. As a young kid traveling from San Diego to Newport for surf contests at 56th street, I would go into the Froghouse and they welcomed me, an "outsider", with open arms. That experience has shaped my views of Newport Beach greatly and ultimately helped me make the tough decision to relocate from San Diego to Newport Beach. There is not a more important cultural icon to the surfing heritage of Newport Beach. From the bright and vibrant murals to the witty remarks on the billboard, surfers and visitors from around the world travel to the Froghouse for a bit of surfing history. It is rare that a business can be woven into the fabric of a culture and a city. Please do not let one of the last true "core surf shops" slip away from our city. If we lose the Froghouse, we lose our surfing soul.

Thanks for taking the time to read this.

Humbly,
Ryan Mangan

--

Ryan Mangan
Hurley Global GMM- Boardshorts and Walkshorts
P. 760.717.7383

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 10:28 AM
To: Burns, Marlene
Subject: FW: Frog House
Attachments: PastedGraphic-2.png; ATT00115.txt

-----Original Message-----

From: dustanbaker@hotmail.com [<mailto:dustanbaker@hotmail.com>] On Behalf Of
Dustan Baker
Sent: Thursday, April 07, 2011 10:11 AM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com;
strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net;
bhillgren@highrhodes.com; ameri@rbf.com
Subject: Frog House

Gentleman,

Do what you can to support the Frog House remaining open. They are very well
established with the local community, and provide a great service.
Do the right thing!

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 10:28 AM
To: Burns, Marlene
Subject: FW: Please Save the Frog House!!!!!!

From: Wilson, Mike (Hurley) [mailto:Mike_Wilson@hurley.com]
Sent: Thursday, April 07, 2011 10:17 AM
Subject: Please Save the Frog House!!!!!!

Newport Beach has history. The Frog house is a part of that history. The Real Estate Industry has taken enough from our country and needs to be told no.

Imagine the Frog House was your backyard.

Please Save the Frog House.

Thanks!

Mike Wilson

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 5:56 AM
To: Burns, Marlene
Subject: Fw: The Frog House

-----Forwarded Message-----

From: Robert Rothwell
Sent: Apr 6, 2011 9:56 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: The Frog House

Dear Planning Commissioners,

As you prepare to vote on the fate of the storied Frog House tomorrow I hope that you take the time to think about history. Not just the Frog House's history or even the city's, but the history of surfing culture in Newport Beach. The Frog House has been a land mark location for surfers young and old for generations. In this modern age in which we are so quick to destroy in the name of progress I hope you can see the immense value in preserving a piece of our heritage. Please allow the Frog House to stay.

Sincerely,

Robert Rothwell

Lifelong resident of Newport Beach and proud supporter of the Frog House.

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 5:54 AM
To: Burns, Marlene
Subject: Fw: Let Frog House Stay!!!

-----Forwarded Message-----

From: dwp-studios
Sent: Apr 6, 2011 9:51 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Let Frog House Stay!!!

To: Newport Beach Planning Commission

I am writing on behalf of the Frog House, in what I believe to be a most serious injustice. The Frog House has been in continuous operation in the same location since the 1960's, and should not be forced to close its doors. It is without a doubt a staple in the local surf community, and furthermore a landmark as well.

Orange County is known throughout the country, even the world, as a surfing mecca. Huntington Beach and Newport Beach alike are it's center. You'll note that the US Open of Surfing is just down the road in Huntington Beach. Even more noteworthy is the very same field of international professional surfers come to Newport Beach to surf before, during, and after the US Open.

Shops like the Frog House built the foundation on which events like the US Open stand; are even in Orange County at all. Countless surfers (locals, tourists, professionals, up-and-coming standouts alike) have at one point or another relied on the Frog House. They are engrained into the local culture. It is indeed shops like the Frog House which have bolstered the tourist and beach-related industries which make Newport Beach what it is.

Yes there is a harbor, yes there is an abundance of homes within steps of the beach. But shops like the Frog House were there in the beginning; helped shape what Newport Beach as become. Without shops like the Frog House, we're just another city along the southern California coast with the same amenities. Newport Beach has HISTORY. Newport Beach should be PROUD of that history. The Frog House is indeed INTEGRAL to that history.

Indeed it is unfortunate that through a loophole and/or lack of enforcement of zoning regulations, an over-abundance of drug and alcohol rehab facilities have taken up root within the intended residentially zoned neighborhoods. It is also understandable that the City now wishes to stringently enforce it's zoning codes to ensure commercial enterprises, like drug and alcohol rehab centers, do not overrun our community, nor that they infringe on the overall harmony of the community.

But the Frog House was around long before these elements infringed into the residential zoned tracts. The Frog House was built and operating before the land it is now on was rezoned as residential. They are directly adjacent to existing (and please note NEWER) commercial enterprises.

This should be a simple decision. The Frog House is a pre-existing land use from before the residential rezoning occurred; since before the recent effort to remove the nonconforming drug and alcohol facilities. They should have been granted a variance based on their pre-existing usage long before they were thrown into the same lot as these nonconforming drug and alcohol rehab centers.

I recognize it is too late to grant them exemption from the act which now has them fighting for their life. We cannot undo the past. But please, do the right thing, grant the Frog House the necessary zoning variance now. Lets not forget, they are a long standing, pre-existing usage from before any residential zoning was mapped. They ARE Newport Beach.

Please vote in favor of KEEPING the Frog House.

Regards,

benjamin c ginsberg
driftwood photography studios
www.dwp-studios.com
[facebook fan page](#)

p: 714.699.4DWP
c: 617.775.3457
e: bg@driftwood-photography.com

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 5:54 AM
To: Burns, Marlene
Subject: Fw: zoning change for established business

-----Forwarded Message-----

From: Miguel Vasquez
Sent: Apr 6, 2011 11:26 PM
To: ameri@rbf.com, rhawkins@earthlink.net, bhillgren@highrhodes.com, eaton727@earthlink.net, strataland@earthlink.net, cwunsworth@roadrunner.com
Subject: zoning change for established business

Dear Council & Commissioners,

I'm writing you to express my support to allow the Froghouse to continue operating at their current property location. The Froghouse has been an institution of the surfing culture since it's inception and a reflection of the character from which many of your constituents' are born from. For all my years of living in and enjoying Newport Beach, the Froghouse has always been a place where everyone from the hardcore local river jetty surfer, to the weekend warrior, could come and share their experiences, questions, and aspirations with like minded surfers. A place where we can we buy our surfboards and gear for the next surf adventure, or swap stories about the morning surf session.

The fact that City staff has zeroed in on the conditional use and challenging of its zoning reflects an overreach of staff powers. The Froghouse does not keep homeowners and local residents up at night. The Froghouse employees are not throwing out cigarettes and empty beer bottles onto the neighborhood streets. This is a diligent, hard working crew, led by a very caring owner/operator, who genuinely cares about his neighborhood, the current residents & visitors, and the young children who will be future residents/owners in newport beach. Staff needs to wake up and focus on real issues vs. going after established local businesses that are putting sales tax dollars back into city coffers. Instead of spending tax payer funds on staff time, why don't we install some showers at our beach entrances? How about a sidewalk connection to the bike path from the north termination of Seashore and the river mouth?

The Froghouse is an integral part of West Newport and should be allowed to continue providing service to both residents and visitors of Newport Beach. There are currently 12,375 people out there who indicated a "like" on the Facebook page, expressing support as well. Please take that into account, as you make your decision. That is almost 20% of your city population, which includes CDM and Newport Coast, of which neither has an established boutique surf shop COMMITTED to your city!

Thank you for your consideration, I have faith that you will make the correct decision for your town and community. Don't let us turn into another water downed oc town.....

Respectfully,
Miguel Vasquez

Formerly of,
1212 West Balboa Blvd.
&
1295 Ocean Front, Balboa

Miguel Vasquez
VP Development Services
Coastal Rim Properties, Inc.
One MacArthur Place, Suite 100
Santa Ana, CA 92707
714.914.9514 cell
714.708.0873 wk
714.708.2130 fax
www.coastalrim.com
mvasquez@coastalrim.com

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 5:54 AM
To: Burns, Marlene
Subject: Fw: What the Froghouse means to me

-----Forwarded Message-----

From: Jason Hall
Sent: Apr 6, 2011 11:36 PM
To: cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: What the Froghouse means to me

Dear City Council Members/ Zoning Commission,

I am writing to you in order to try and convince you to right a wrong. While the zoning of the Froghouse might be legally incorrect, a simple change or individual exception in the zoning will allow a Newport Beach landmark to be an unofficial welcome to the city of Newport Beach when entering the city south on PCH.

I currently live and have lived in Huntington Beach my entire life and frequent the wonderful dining establishments and recreation sites that Newport Beach has to offer. Each time I drive by and see the bright mural on the side of the Froghouse I can't help but smile. This is the place that I purchased my very first wetsuit, surfboard and other surf items that I need and have nothing but wonderful memories. This place is owned by one of the nicest people you will ever meet. I got to know the family well as I grew up around the Brimer's during my years playing AYSO with TK's son.

Please do the right thing and show your support for a long time, local small business owner.

-Jason Hall

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 5:53 AM
To: Burns, Marlene
Subject: Fw: Save the Frog House

-----Forwarded Message-----

>From: Jamie Dow <jamiedow@gmail.com>

>Sent: Apr 7, 2011 1:10 AM

>To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net, eaton727@earthlink.net,
rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com

>Subject: Save the Frog House

>

>Hello, my name is Jamie Dow and I've been a Newport Beach resident for 29 years. I am writing you in advance of tomorrow's planning commission meeting where I have heard you will be voting on the fate of TK's Frog House. I would like to voice my support for the Frog House, and ask that you please vote to approve the requested zoning change. Considering the Frog House has been in that location for decades, it seems strange to pull the rug out from under them at this point in time. They are a respected business and have a large following, they employ residents of our fair city and contribute to local economic activity. I see no reason that a unique and historic storefront should be eliminated to make way for just another house.

>

>I thank you for your consideration of this issue. Please let the Frog House stay.

>

>-Jamie Dow

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, April 06, 2011 3:22 PM
To: Burns, Marlene
Subject: FW: save the frog house!!!! please!

From: chris crane [<mailto:chriscrane13@gmail.com>]
Sent: Wednesday, April 06, 2011 12:18 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: save the frog house!!!! please!

the frog house has been around longer than i, and has been a huge part of my newport beach life. please let it stay in its current location under the previous standings...or even better if possible :)

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Wednesday, April 06, 2011 3:22 PM
To: Burns, Marlene
Subject: FW: FrogHouse - PA2010-182
Attachments: image001.jpg

From: Lim, Bradford [<mailto:blim@ksea.com>]
Sent: Wednesday, April 06, 2011 2:08 PM
To: rhawkins@earthlink.net
Subject: FrogHouse - PA2010-182

Dear Mr. Robert Hawkins,

Description: General Plan Amendment and LCP Amendment
PA2010-182
Frog House
6908 W. Coast Hwy
Newport Beach, CA 92663

I am reaching out to show my support of the proposed zoning change for the property occupied by the FrogHouse, 6908 W. Coast Highway. I have been a Newport Beach resident and grew up right behind the shop. I have good faith in the decision that you and your colleagues will ultimately make because you are aware of how it will affect the community.

It is my understanding that the lot that the FrogHouse occupies was zoned for residential use over 30 years ago. But this ordinance was never enforced until 2008 targeting rehab homes, boarding houses, fraternities and sororities. I also understand that enforcing the zoning ordinance will force property values up but will also result in a neighborhood surf shop, which has been in business for decades, to close down.

I believe that the proposed zoning change for the property aforementioned will be a huge travesty should it not be approved. By changing the zoning, this will preserve the heritage of the city's surfing community. The shop has been a Pacific Coast Highway landmark for half a century and after nearly fifty years of complaint free operation I believe the proposed zoning change should be strongly considered. It is not a big secret that the surfing community of Newport has been and will be an integral part of the city's culture. The Froghouse moved to that location in 1962 and it is the 2nd oldest surf shop in California.

Making the change will truly indicate that the voice of the people are being heard and that you along with your colleagues are sensitive to the needs of the community residents. I am sure you have always been sensitive to the preservation of the unique character of our neighborhoods and maintaining the family strengths of our community. The Froghouse is a family run business with deep seated roots within our community. I urge you to vote in favor of the zoning change and let future generations enjoy a historical site that is the last of a dying breed. The Froghouse is a historical site that stays true to the idea of Newport's surf heritage and is a living tribute... never to be touched.

If I can help in any way to push the proposed amendment please let me know. Thank you for your thoughtful consideration,

Be well,

Bradford Lim

Northern Area Relationship Manager, Customer Support
KARL STORZ Endoscopy-America, Inc.
2151 E. Grand Avenue | El Segundo, CA 90245
Phone: 800.421.0837 ext. 7124 | Fax: 800.321.1304
blim@ksea.com | www.karlstorz.com



"Striving to provide world-class service, one customer at a time"

 Please consider the environment before printing this e-mail

Burns, Marlene

From:	Robert C. Hawkins [rhawkins@earthlink.net]	PA2010-182
Sent:	Friday, April 08, 2011 12:23 PM	PA2010-190
To:	Burns, Marlene	PA2011-014
Subject:	FW: Froghouse	

From: Kindon Olsen [<mailto:kindonolsen@gmail.com>]

Sent: Friday, April 08, 2011 12:09 PM

To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com

Subject: Re: Froghouse

Commission members,

I just wanted to thank each of you for considering the interests of those that support the ongoing operations of the Frog House. I believe the commission's decision to allow the zoning request exhibits why Newport Beach is a world class destination not just for the elite, or even just surfers, but for a wide range of people and family with various interests. I am happy to hear that the commission was reasonable and accommodating to the Frog House's request. Thank you again.

Kindon Olsen

On Tue, Mar 29, 2011 at 8:44 PM, Kindon Olsen <kindonolsen@gmail.com> wrote:
Council members:

I support the Froghouse's request for a zoning change and an amendment to the General plan to allow the Froghouse to continue to do business and serve the city of Newport Beach as it has for many many years. While I am a resident of Irvine, I visit Newport beach daily and visit the Peninsula/Northwest section of Newport Beach, where Froghouse conducts business, at least once a week. The Froghouse is an integral part of the culture and atmosphere which draws myself, as well as my friends and family, over and over again. Please approve this minor zoning request and amendment to allow a Newport Beach mainstay to continue to serve the city's residents and visitors.

--

Thank you,

Kindon Olsen

--

Thank you,

Kindon Olsen

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Friday, April 08, 2011 7:47 AM
To: Burns, Marlene
Subject: Fw: Frog House

-----Forwarded Message-----

From: Matt Murphy
Sent: Apr 7, 2011 10:30 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Frog House

Frog house is a Newport Beach landmark and defines the culture of the Newport Beach surf community. I would highly advise creating a special circumstance in the rezoning for The Frog House. Very very things have escaped the corporate image in the surfing culture and Frog House is an original.

-Matt

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 9:42 PM
To: Burns, Marlene
Subject: Fw: Frog House

-----Forwarded Message-----

From: james landry
Sent: Apr 7, 2011 5:21 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, strataland@earthlink.net,
eaton727@earthlink.net, rhawkins@earthlink.net, bhillgren@highrhodes.com, ameri@rbf.com
Subject: Frog House

To whom it may concern:

Please listen to the Frog House. This is the last real surf shop in the Huntington and Newport Area. The employee there do a great job and offer a very personal shopping experience. Newport would not be the same without them. Please help them in anyway necessary.

Thanks,
James Landry

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 9:41 PM
To: Burns, Marlene
Subject: Fw: Frog House

-----Forwarded Message-----

From: Steven Atherton
Sent: Apr 7, 2011 6:49 PM
To: emcdaniel@sunwestbank.com, cwunsworth@roadrunner.com, ameri@rbf.com, rhawkins@earthlink.net,
eaton727@earthlink.net
Subject: Frog House

Gentlemen,

Newport Beaches Frog House is an institution in the community.
Like so many other cities in Southern California Newport Beach is losing much of its culture and history to growth and development plans that erase cornerstones of the community.

The Frog house is a family oriented surf shop and i have personally been a patron for over 15 years.

It would be a shame to see it relocated or moved for any reason. The location of this establishment is largely why they are still in business. If you move them you would put the owners out on the street.

Good luck in your deliberation i am sure their is more that the public doesn't know.

Good Night

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 3:21 PM
To: Burns, Marlene
Subject: FW: SAVE THE FROGHOUSE!

From: Keith Goldstein [<mailto:keithgoldstein89@gmail.com>]
Sent: Thursday, April 07, 2011 2:56 PM
To: rhawkins@earthlink.net
Subject: SAVE THE FROGHOUSE!

PA2010-182

Frog House

6908 W. Coast Hwy

Newport Beach, CA 92663

As an employee at the FrogHouse, I am strongly opposed to the zoning and wish to show my support of the proposed zoning change for the property occupied by the FrogHouse, 6908 W. Coast Highway. I have been a Newport Beach resident and grew up right behind the shop. I have good faith in the decision that you and your colleagues will ultimately make because you are aware of how it will affect the community.

It is my understanding that the lot that the FrogHouse occupies was zoned for residential use over 30 years ago. But this ordinance was never enforced until 2008 targeting rehab homes, boarding houses, fraternities and sororities. I also understand that enforcing the zoning ordinance will force property values up but will also result in a neighborhood surf shop, which has been in business for decades, to close down.

I believe that the proposed zoning change for the property aforementioned will be a huge travesty should it not be approved. By changing the zoning, this will preserve the heritage of the city's surfing community. The shop has been a Pacific Coast Highway landmark for half a century and after nearly fifty years of complaint free operation I believe the proposed zoning change should be strongly considered. It is not a big secret that the surfing community of Newport has been and will be an integral part of the city's culture. The Froghouse moved to that location in 1962 and it is the 2nd oldest surf shop in California.

Making the change will truly indicate that the voice of the people are being heard and that you along with your colleagues are sensitive to the needs of the community residents. I am sure you have always been sensitive to the preservation of the unique character of our neighborhoods and maintaining the family strengths of our community. The Froghouse is a family run business with deep seated roots within our community. I urge you to vote in favor of the zoning change and let future generations enjoy a historical site that is the last of a dying breed. The Froghouse is a historical site that stays true to the idea of Newport's surf heritage and is a living tribute... never to be touched. Again, as an employee of this shop I can and will support it for what positive influences and relationships it has brought me.

If I can help in any way to push the proposed amendment please let me know. Thank you for your thoughtful consideration,

Keith Goldstein

Keithgoldstein89@gmail.com

Burns, Marlene

From: Robert C. Hawkins [rhawkins@earthlink.net]
Sent: Thursday, April 07, 2011 3:21 PM
To: Burns, Marlene
Subject: FW: Please Save FrogHouse!

From: Jen Brantley [<mailto:jen@groupb.biz>]
Sent: Thursday, April 07, 2011 3:16 PM
To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com
Subject: Please Save FrogHouse!

Dear Newport Beach Commissioners,

Description: General Plan Amendment and LCP Amendment

PA2010-182

Frog House

6908 W. Coast Hwy

Newport Beach, CA 92663

I am reaching out to show my support of the proposed zoning change for the property occupied by the FrogHouse, 6908 W. Coast Highway. I have been a Newport Beach resident and grew up right behind the shop. I have good faith in the decision that you and your colleagues will ultimately make because you are aware of how it will affect the community.

It is my understanding that the lot that the FrogHouse occupies was zoned for residential use over 30 years ago. But this ordinance was never enforced until 2008 targeting rehab homes, boarding houses, fraternities and sororities. I also understand that enforcing the zoning ordinance will force property values up but will also result in a neighborhood surf shop, which has been in business for decades, to close down.

I believe that the proposed zoning change for the property aforementioned will be a huge travesty should it not be approved. By changing the zoning, this will preserve the heritage of the city's surfing community. The shop has been a Pacific Coast Highway landmark for half a century and after nearly fifty years of complaint free operation I believe the proposed zoning change should be strongly considered. It is not a big secret that the surfing community of Newport has been and will be an integral part of the city's culture. The Froghouse moved to that location in 1962 and it is the 2nd oldest surf shop in California.

Making the change will truly indicate that the voice of the people are being heard and that you along with your colleagues are sensitive to the needs of the community residents. I am sure you have always been sensitive to the preservation of the unique character of our neighborhoods and maintaining the family strengths of our community. The Froghouse is a family run business with deep seated roots within our community. I urge you to vote in favor of the zoning change and let future generations enjoy a historical site that is the last of a dying breed. The Froghouse is a historical site that stays true to the idea of Newport's surf heritage and is a living tribute... never to be touched.

If I can help in any way to push the proposed amendment please let me know. Thank you for your thoughtful consideration,

(sign your name here)

Burns, Marlene

From:	Robert C. Hawkins [rhawkins@earthlink.net]	PA2010-182
Sent:	Friday, April 08, 2011 12:23 PM	PA2010-190
To:	Burns, Marlene	PA2011-014
Subject:	FW: Froghouse	

From: Kindon Olsen [<mailto:kindonolsen@gmail.com>]

Sent: Friday, April 08, 2011 12:09 PM

To: emcdaniel@sunwestbank.com; cwunsworth@roadrunner.com; strataland@earthlink.net; eaton727@earthlink.net; rhawkins@earthlink.net; bhillgren@highrhodes.com; ameri@rbf.com

Subject: Re: Froghouse

Commission members,

I just wanted to thank each of you for considering the interests of those that support the ongoing operations of the Frog House. I believe the commission's decision to allow the zoning request exhibits why Newport Beach is a world class destination not just for the elite, or even just surfers, but for a wide range of people and family with various interests. I am happy to hear that the commission was reasonable and accommodating to the Frog House's request. Thank you again.

Kindon Olsen

On Tue, Mar 29, 2011 at 8:44 PM, Kindon Olsen <kindonolsen@gmail.com> wrote:
Council members:

I support the Froghouse's request for a zoning change and an amendment to the General plan to allow the Froghouse to continue to do business and serve the city of Newport Beach as it has for many many years. While I am a resident of Irvine, I visit Newport beach daily and visit the Peninsula/Northwest section of Newport Beach, where Froghouse conducts business, at least once a week. The Froghouse is an integral part of the culture and atmosphere which draws myself, as well as my friends and family, over and over again. Please approve this minor zoning request and amendment to allow a Newport Beach mainstay to continue to serve the city's residents and visitors.

--

Thank you,

Kindon Olsen

--

Thank you,

Kindon Olsen

Burns, Marlene

From: Lorraine Newcombe [alohalulu65@gmail.com]
Sent: Friday, April 08, 2011 3:30 PM
To: Burns, Marlene
Subject: A big "THANK YOU"

Thank you for approving the request for the zoning change regarding the Frog House.....A big thank you from all of us who appreciate that there is a place for progress but, there also needs to be a place for some things to remain, especially a business that has been there for almost 50 yrs.

Sincerely,
Lorraine Newcombe

Burns, Marlene

From: Susan Hanley [taxi4knc@sbcglobal.net]
Sent: Friday, April 08, 2011 4:21 PM
To: Burns, Marlene
Subject: frog house

Thank you for approving the froghouse rezoning. You won't regret it! TK, the owner is a super wonderful guy, and very respectful. He runs a great, honest business.

Again, thank you for your support, and please pass this on to the other commissioners who helped approve this.

Burns, Marlene

From: Phil Harp [harpSPORT@aol.com]
Sent: Friday, April 08, 2011 5:28 PM
To: Burns, Marlene
Subject: Froghouse

Dear Mr Hillgren,

Thank you for recommending the zone change for the Froghouse. What a shame it would be if the zone change that now allows rehab houses in my neighborhood would also shut down the Froghouse.

Hopefully the City Counsel will accept your recommendation.

Sincerely,

Gayle Harp
461 Via Lido Soud

WEST NEWPORT AMENDMENTS

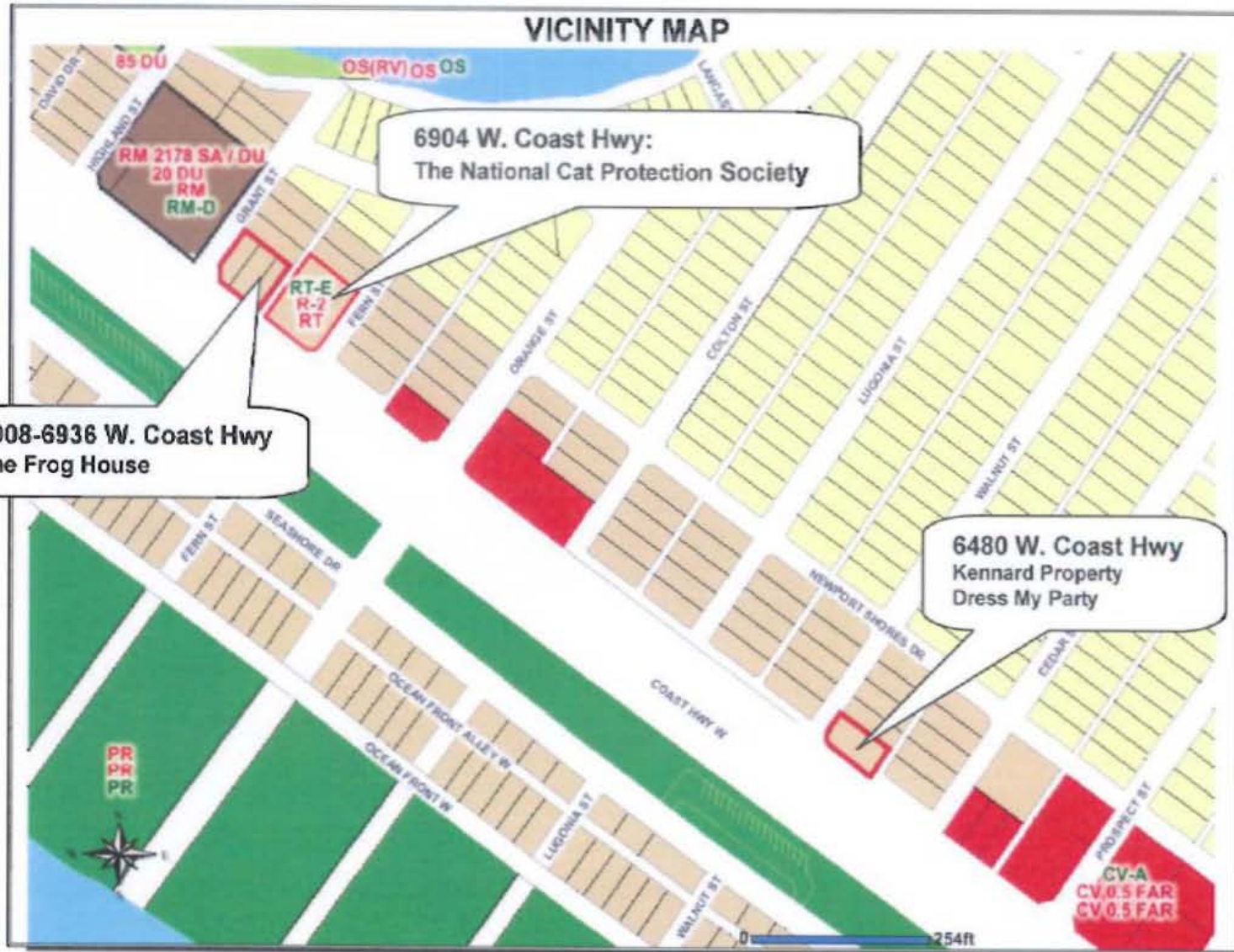
6480 West Coast Highway (PA2010-190), Kennard Property.

6904 West Coast Highway (PA2011-014), The National Cat Protection Society.

6908-6936 West Coast Highway (PA2010-182), The Frog House property.

Planning Commission
Public Hearing
April 7, 2011





VICINITY MAP

CODE AMENDMENT SUMMARY

	CHANGES: CURRENT to RECOMMENDED PROPOSED		
LOCATION:	GENERAL PLAN:	COASTAL LAND USE PLAN:	ZONING:
6480 W COAST HWY	RT to CG 0.5	RT-E to CG-B	R-2 to CG-0.5
6904 W COAST HWY	RT to CG 0.5	RT-E to CG-B	R-2 to CG-0.5
6908-6936 W COAST HWY	RT to CG 0.5	RT-E to CG-B	R-2 to CG-0.5

DEVELOPMENT INTENSITY ALLOWED:

The CG Zoning District : **Commercial floor area - Maximum floor area ratio (FAR) of 0.5.**

The CV-0.5 Zoning District : Commercial floor area - Maximum floor area ratio (FAR) of 0.5.

The CC Zoning District: Commercial floor area - Maximum floor area ratio (FAR) of 0.75.

The MU-V Zoning District: Commercial floor area - Maximum floor area ratio (FAR) of 0.75
Residential Density of one unit for every 1,631 square feet of
land area (density of 26.7 units per acre).
Residential uses are only allowed above the ground floor.



CHANGES: CURRENT to RECOMMENDED

LOCATION:

6480 W COAST HWY

GENERAL PLAN:

RT to CG-0.5

**COASTAL LAND USE
PLAN:**

RT-E to CG-B

ZONING:

R-2 to CG-0.5

ATTACHMENT NO. PC 2- 6480 WEST COAST HWY – KENNARD PROPERTY



CHANGES: CURRENT to RECOMMENDED

LOCATION:

6904 W COAST HWY

GENERAL PLAN:

RT to CG-0.5

**COASTAL LAND USE
PLAN:**

RT-E to CG-B

ZONING:

R-2 to CG-B 0.5

ATTACHMENT NO. PC 3- 6904 WEST COAST HWY – THE NATIONAL CAT PROTECTION SOCIETY



CHANGES: CURRENT to RECOMMENDED

LOCATION:

6908-6936 W COAST HWY

GENERAL PLAN:

RT to CG-0.5

**COASTAL LAND USE
PLAN:**

RT-E to CG-B

ZONING:

R-2 to CG-0.5

ATTACHMENT NO. PC 4- 6908-6936 WEST COAST HWY - THE FROG HOUSE

Table 2-5 Allowed Uses and Permit Requirements		Commercial Retail Zoning Districts Permit Requirements *		
		P	Permitted By-Right	
		CUP	Conditional Use Permit (20.66.090)	
		MUP	Minor Use Permit (20.66.090)	
		LTP	Limited Term Permit (20.66.080)	
		---	Not allowed *	
Land Use		CG	CV	Specific Use Regulations
	See Part 7 for land use definitions. See Chapter 20.12 for unlisted uses.			
Retail Trade Uses				
Bulk merchandise		P	---	
Retail Sales		P	---	
Visitor Serving Retail		---	P	
Service Uses – Business, Financial, Medical, and Professional				
Outpatient Surgery Facility (above 1 st floor only)		MUP	---	
Service Uses - General				
Ambulance Services		MUP	---	
Animal Sales and Services				
Animal Boarding/Kennels		CUP	---	20.48.050
Veterinary Services		CUP	---	20.48.050
Funeral Homes and Mortuaries, with crematorium		CUP	---	
Laboratories		P	---	
Maintenance and Repair Services		P	---	
Marine Services				
Entertainment and Excursion Services		---	P	MC Title 17
Marine Service Stations		---	CUP	
Printing and Duplicating Services		P	---	
Recycling Facilities- Collection Facility - Small		MUP	---	20.48.160
Transportation, Communications, and Infrastructure Uses				
Marina Support Facilities		---	MUP	
Vehicle Rental, Sale, and Service Uses				
Vehicle/Equipment Rental and Sales				
General		CUP	CUP	
Office Only		P	P	
Limited		P	P	
Vehicles for hire		CUP	CUP	
Vehicle/Equipment Repair				
General		CUP	---	
Limited		MUP	---	

DIFFERENCE BETWEEN RETAIL SALES AND VISITOR SERVING RETAIL:

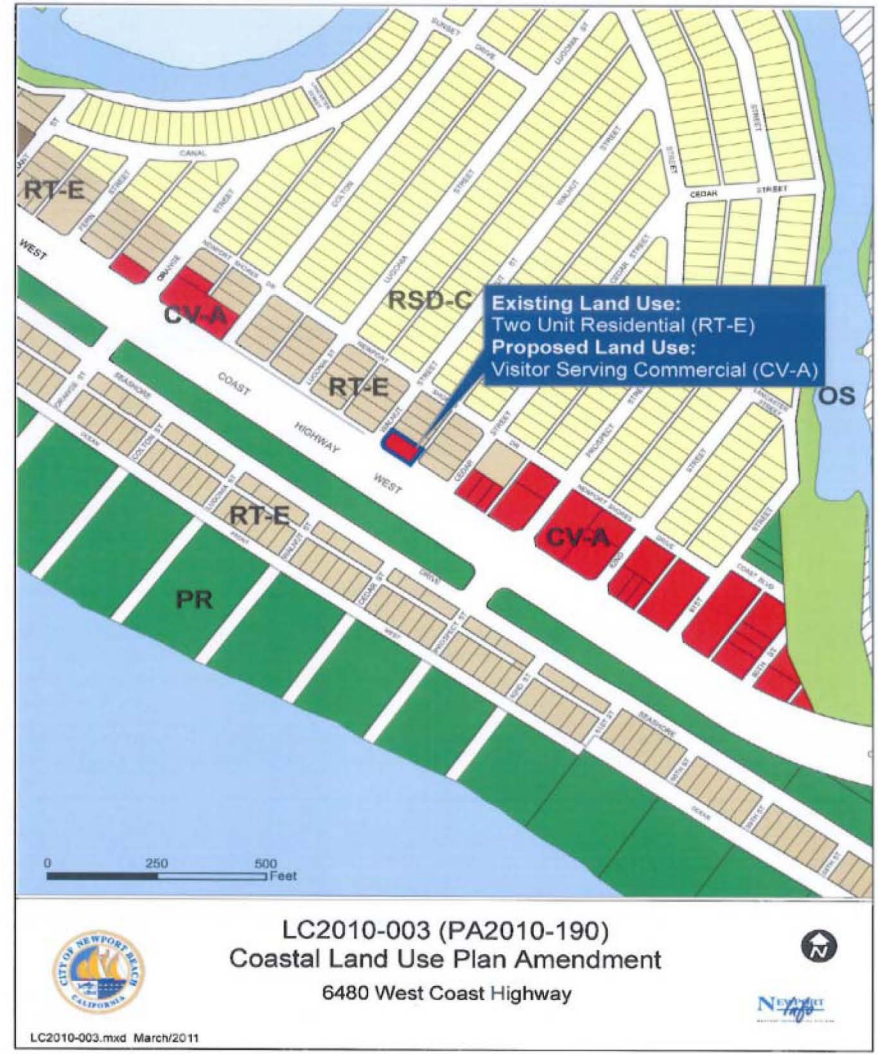
Retail Sales (Land Use). As allowed in the CC, and CG zoning districts

General. Retail establishments, completely enclosed within structures, engaged in selling goods or merchandise to the general public.

Visitor-Serving Retail (Land Use). As allowed in the CV, and CC zoning districts.

Retail establishments engaged in selling goods or merchandise to tourists and visitors.

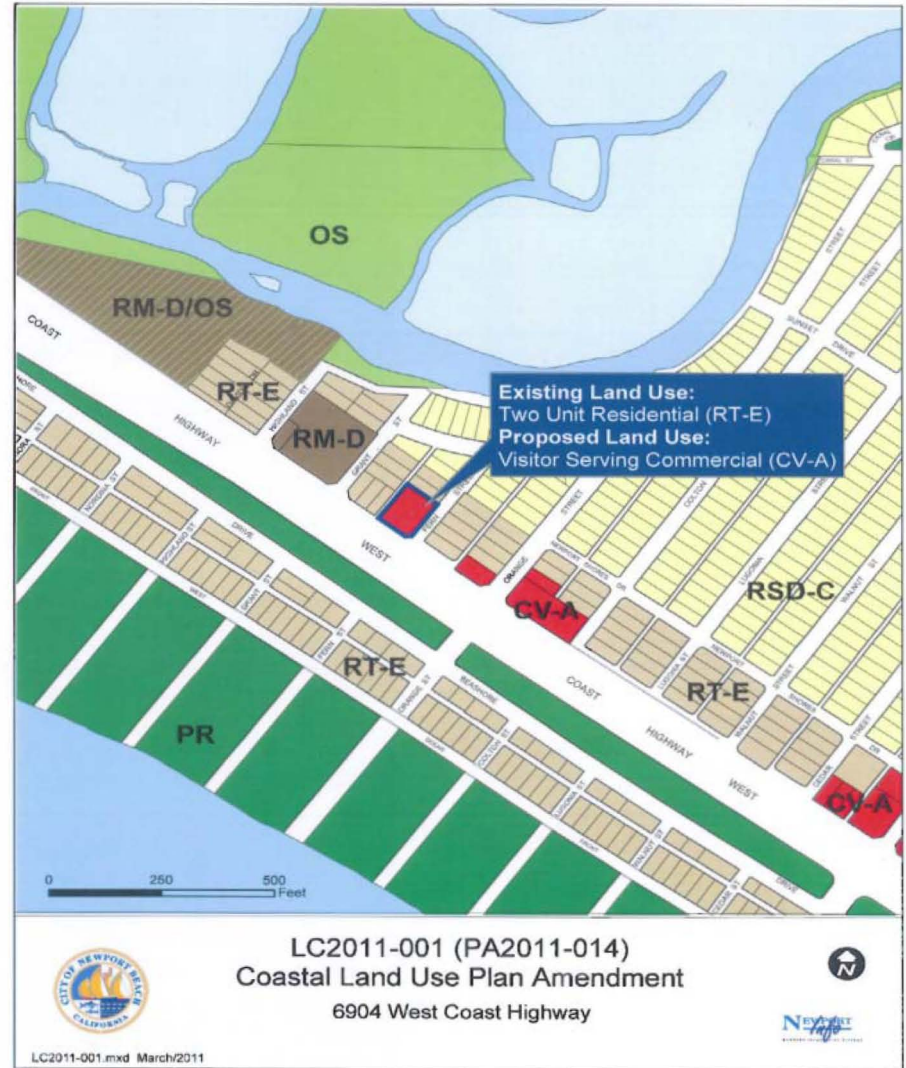
Retail Sales (Land Use).	Visitor-Serving Retail (Land Use).
	art galleries
automotive parts and accessories	
carpeting and floor covering	
electronic equipment	
fabrics and sewing supplies	
florists and houseplant stores (indoor sales only)	
grocery store	
hardware	
kitchen utensils	
locksmiths	
medical supplies and equipment	
musical instruments, parts and accessories	
office supplies	
orthopedic supplies	
paint and wallpaper	
religious goods	
secondhand clothing sales	
shoe stores	
small wares	
stationery	
supermarket	
Bulk Merchandise	



PC RESOLUTION EXHIBIT A – 6480 WEST COAST HWY



PC RESOLUTION EXHIBIT A – 6480 WEST COAST HWY



PC RESOLUTION EXHIBIT B – 6904 WEST COAST HWY



PC RESOLUTION EXHIBIT B – 6904 WEST COAST HWY



GP2010-002 (PA2010-182)
General Plan Amendment
6908-6936 West Coast Highway



NEWMET
PLANNING

GP2010-002.mxd March/2011



LC2010-002 (PA2010-182)
Coastal Land Use Plan Amendment
6908-6936 West Coast Highway



NEWMET
PLANNING

LC2010-002.mxd March/2011

PC RESOLUTION EXHIBIT C – 6908-6936 WEST COAST HWY



PC RESOLUTION EXHIBIT C – 6908-6936 WEST COAST HWY